



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We make Indiana a cleaner, healthier place to live.

Frank O'Bannon
Governor

Lori F. Kaplan
Commissioner

August 22, 2003

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
(317) 232-8603
(800) 451-6027
www.in.gov/idem

TO: Interested Parties / Applicant

RE: Countrymark Cooperative LLP / T129-7742-00037

FROM: Paul Dubenetzky
Chief, Permits Branch
Office of Air Quality

Notice of Decision: Approval – Effective Immediately

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 13-15-5-3, this permit is effective immediately, unless a petition for stay of effectiveness is filed and granted, and may be revoked or modified in accordance with the provisions of IC 13-15-7-1.

If you wish to challenge this decision, IC 4-21.5-3-7 and IC 13-15-6-1(b) require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, ISTA Building, 150 W. Market Street, Suite 618, Indianapolis, IN 46204, **within thirty (30) days from the receipt of this notice** provided under IC 13-15-5-3. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

- (1) the date the document is delivered to the Office of Environmental Adjudication (OEA);
- (2) the date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail; or
- (3) The date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for considerations at any hearing; and
- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

Pursuant to 326 IAC 2-7-18(d), any person may petition the U.S. EPA to object to the issuance of a Title V operating permit or modification within sixty (60) days of the end of the forty-five (45) day EPA review period. Such an objection must be based only on issues that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impracticable to raise such issues, or if the grounds for such objection arose after the comment period.

To petition the U.S. EPA to object to the issuance of a Title V operating permit, contact:

U.S. Environmental Protection Agency
401 M Street
Washington, D.C. 20406

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.



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PART 70 OPERATING PERMIT OFFICE OF AIR QUALITY

**Countrymark Cooperative, LLP
South Mann and West Ohio Street
Mt. Vernon, Indiana 47620**

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-7 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

Operation Permit No.: T129-7742-00037	
Issued by: Original signed by Janet McCabe Janet G. McCabe, Assistant Commissioner Office of Air Quality	Issuance Date: August 22, 2003 Expiration Date: August 22, 2008

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Stratospheric Ozone Protection

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SECTION A

SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions A.1, A.3 and A.4 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

A.1 General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)] [326 IAC 2-7-1(22)]

The Permittee owns and operates a marine vessel loading and unloading river dock terminal.

Responsible Official:	Ronald D. Stover, Vice President of Petroleum Division
Plant Address:	South Mann and West Ohio Street, Mt. Vernon, IN 47620
Mailing Address:	1200 Refinery Road, Mt. Vernon, IN 47620
General Source Phone Number:	(812) 838-8123
SIC Code:	2911
County Location:	Posey
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Permit Program Major Source, under PSD Major Source, Section 112 of the Clean Air Act 1 of 28 Source Categories

A.2 Part 70 Source Definition [326 IAC 2-7-1(22)]

This marine vessel loading and unloading river dock terminal company consists of two (2) plants:

- (a) Plant 1, the refinery, is located at 1200 Refinery Road, Mount Vernon, IN 47620; and
- (b) Plant 2, the river dock terminal, is located at South Mann St. and West Ohio St., Mount Vernon, IN 47620.

Since the two (2) plants are located on contiguous or adjacent properties, belong to the same industrial grouping, and under common control of the same entity, they will be considered one (1) source, effective from the date of issuance of this Part 70 permit.

Separate Part 70 permits (129-7742-00037 and T129-7882-00003) will be issued to Countrymark Cooperative, LLP in Mount Vernon, Indiana, solely for administrative purposes.

A.3 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)] [326 IAC 2-7-5(15)]

This stationary source consists of the following emission units and pollution control devices:

- (a) One (1) fixed roof cone tank, identified as Tank No. 23, constructed in 1942, with a capacity of 9,828 gallons;
- (b) One (1) fixed roof cone tank, identified as Tank No. 27, constructed in 1961, with a capacity of 42,000 gallons;
- (c) One (1) fixed roof cone tank, identified as Tank No. 28, constructed in 1961, with a capacity of 42,000 gallons;
- (d) One (1) fixed roof cone tank, identified as Tank No. 31, constructed in 1942, with a capacity of 8,274 gallons;
- (e) One (1) fixed roof cone tank, identified as Tank No. 32, constructed in 1942, with a capacity of 9,744 gallons;

- (f) One (1) tank, identified as Skid Tank, constructed in 1960, with a capacity of 576 gallons;
- (g) One (1) tank, identified as Dock Tank, constructed in 1950, with a capacity of 564 gallons;
- (h) One (1) upstream barge containment, constructed in 1942, with a capacity of 12,209 gallons;
- (i) One (1) downstream barge containment, constructed in 1942, with a capacity of 12,209 gallons;
- (j) One (1) barge loading and unloading facility, constructed in 1952;
- (k) Pipeline Valves: Gas Stream;
- (l) Pipeline Valves: Light Liquid;
- (m) Pipeline Valves: Heavy Liquid;
- (n) Open Ended Valves;
- (o) Flanges;
- (p) Pump Seals: Light Liquid;
- (q) Pump Seals: Heavy Liquid;
- (r) Drains; and
- (s) Vessel RV's.

A.4 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)]
[326 IAC 2-7-5(15)]

This stationary source does not currently have any insignificant activities, as defined in 326 IAC 2-7-1 (21) that have applicable requirements.

A.5 Part 70 Permit Applicability [326 IAC 2-7-2]

This stationary source is required to have a Part 70 permit by 326 IAC 2-7-2 (Applicability) because:

- (a) It is a major source, as defined in 326 IAC 2-7-1(22);
- (b) It is a source in a source category designated by the United States Environmental Protection Agency (U.S. EPA) under 40 CFR 70.3 (Part 70 - Applicability).

SECTION B GENERAL CONDITIONS

B.1 Definitions [326 IAC 2-7-1]

Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations (IC 13-11, 326 IAC 1-2 and 326 IAC 2-7) shall prevail.

B.2 Permit Term [326 IAC 2-7-5(2)] [326 IAC 2-1.1-9.5]

This permit is issued for a fixed term of five (5) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date.

B.3 Enforceability [326 IAC 2-7-7]

Unless otherwise stated, all terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.

B.4 Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]

The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-7-3 and 326 IAC 2-7-4(a).

B.5 Severability [326 IAC 2-7-5(5)]

The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

B.6 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]

This permit does not convey any property rights of any sort or any exclusive privilege.

B.7 Duty to Provide Information [326 IAC 2-7-5(6)(E)]

- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.8 Compliance with Permit Conditions [326 IAC 2-7-5(6)(A)] [326 IAC 2-7-5(6)(B)]

- (a) The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for:
 - (1) Enforcement action;
 - (2) Permit termination, revocation and reissuance, or modification; or
 - (3) Denial of a permit renewal application.
- (b) Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act.
- (c) It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

- (d) An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.

B.9 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]

- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification.
- (c) A responsible official is defined at 326 IAC 2-7-1(34).

B.10 Annual Compliance Certification [326 IAC 2-7-6(5)]

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in letter form no later than July 1 of each year to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
 - (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
 - (2) The compliance status;
 - (3) Whether compliance was continuous or intermittent;
 - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and
 - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ, may require to determine the compliance status of the source.

The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

B.11 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)]
[326 IAC 1-6-3]

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, including the following information on each facility:
- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

If, due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

The PMP extension notification does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The Permittee shall implement the PMPs, including any required record keeping, as necessary to ensure that failure to implement a PMP does not cause or contribute to an exceedance of any limitation on emissions or potential to emit.
- (c) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The PMP does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (d) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation, Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

B.12 Emergency Provisions [326 IAC 2-7-16]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
- (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;

- (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality,
Compliance Section), or
Telephone Number: 317-233-5674 (ask for Compliance Section)
Facsimile Number: 317-233-5967

Telephone Number: 812-436-2570
Facsimile Number: 812-436-2572

- (5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-7-5(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and
- (C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
 - (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
 - (e) IDEM, OAQ, may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(9) be revised in response to an emergency.
 - (f) Failure to notify IDEM, OAQ, by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.
 - (g) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
 - (h) The Permittee shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

B.13 Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]

- (a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed in compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this permit or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The Indiana statutes from IC 13 and rules from 326 IAC, referenced in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.

This permit shield does not extend to applicable requirements which are promulgated after the date of issuance of this permit unless this permit has been modified to reflect such new requirements.

- (b) In addition to the nonapplicability determinations set forth in Sections D of this permit, the IDEM, OAQ has made the following determination regarding this source:

Tanks Nos. 23, 27, 28, 31, 32, Skid Tank, Dock Tank, Upstream Barge Containment and Downstream Barge Containment are not subject to the New Source Performance Standard, 326 IAC 12, 40 CFR Part 60.110, Subpart K (Volatile Organic Liquid Storage Vessels) because the tanks were constructed prior to June 11, 1973.

The one (1) barge loading and unloading facility is not subject to the New Source Performance Standard, 326 IAC 12, (40 CFR Part 60.500, Subpart XX) "Standards of Performance for Bulk Gasoline Terminals" because the loading rack was constructed prior to December 17, 1980.

The river dock terminal is not a major source of hazardous air pollutants and thus is not subject to any part of 40 CFR 63 except the recordkeeping requirements of 40 CFR 63.567(j)(4) and the emission estimating requirements of 40 CFR 63.565(l) which apply to existing sources with HAP emissions less than 10 and 25 tons.

The river dock terminal is not subject to the requirements of the National Emission Standards for Hazardous Air Pollutants 326 IAC 20.17, (40 CFR 63.560, Subpart Y) because it does not have an annual throughput greater than or equal to ten (10) million barrels of gasoline or two hundred (200) million barrels of crude oil. Therefore the requirements of Subpart Y do not apply to the source.

326 IAC 2-2 (Prevention of Significant Deterioration) does not apply to the river dock terminal because all units were constructed prior to the applicability date of August 7, 1977.

The river dock terminal is not subject to 326 IAC 2-4.1-1 (New Source Toxics Control) because the emission units at the river dock terminal were constructed prior to July 27, 1997. Therefore, 326 IAC 2-4.1-1 does not apply.

This marine vessel loading and unloading river dock terminal is not subject to the provision of 326 IAC 8-1-6. This rule applies to facilities located in any county constructed after January 1, 1980, which are not otherwise regulated by any other provisions of 326 IAC 8, and have potential emissions of 25 tons/yr or greater. This marine vessel loading and unloading river dock terminal was constructed prior to January 1, 1980, and therefore, this rule does not apply.

None of the units at the river dock terminal are subject to 326 IAC 8-4-3 (Petroleum Liquid Storage Facilities) because they were constructed before January 1, 1980.

The barge loading and unloading facility, is not subject to the requirements of 326 IAC 8-4-4 (Bulk Gasoline Terminals), because it was constructed before the applicability date of January 1, 1980.

The river dock terminal is not subject to the requirements of 326 IAC 8-4-5 (Bulk Gasoline Plants), because the river dock terminal is not located in any of the listed counties.

The one (1) barge loading and unloading facility is not subject to the requirements of 326 IAC 8-4-6 (Gasoline Dispensing Facilities), because it does not dispense gasoline into motor vehicle fuel tanks or portable containers, is not a gasoline dispensing facility, and is not located in any of the listed counties and it was constructed prior to July 1, 1989.

The one (1) barge loading and unloading facility is not subject to the requirements of 326 IAC 8-4-7 (Gasoline Transports), because it was constructed before the applicability date of January 1, 1980.

The one (1) barge loading and unloading facility is not subject to 326 IAC 8-4-9 (Leaks from Transports and Vapor Collection Systems; Records) because it is not subject to the requirements of 326 IAC 8-4-4 through 326 IAC 8-4-6 and also not subject to the requirements of 326 IAC 8-4-9 (Leaks from Transports and Vapor Collection Systems, Records) and it was constructed prior to January 1, 1980.

The river dock terminal is not subject to 326 IAC 8-6 (Organic Solvent Emission Limitations) because it was not constructed after October 7, 1974, and prior to January, 1980 and it does not have potential VOC emissions of greater than 100 tons per year.

The river dock terminal is not subject to the requirements of 326 IAC 8-7 (Specific VOC Reduction Requirements for Lake, Porter, Clark and Floyd Counties), because the river dock terminal is not located in one of the listed counties.

The river dock terminal storage tanks are not subject to the requirements of 326 IAC 8-9 (Volatile Organic Liquid Storage Vessels) because the river dock terminal is not located in one of the listed counties.

- (c) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.
- (d) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.
- (e) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
 - (1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;
 - (2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;
 - (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and
 - (4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.
- (f) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).

- (g) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, has issued the modifications. [326 IAC 2-7-12(c)(7)]
- (h) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, has issued the modification. [326 IAC 2-7-12(b)(8)]

B.14 Prior Permits Superseded [326 IAC 2-1.1-9.5]

- (a) All terms and conditions of previous permits issued pursuant to permitting programs approved into the state implementation plan have been either
 - (1) incorporated as originally stated,
 - (2) revised, or
 - (3) deletedby this permit.
- (b) All previous registrations and permits are superseded by this permit.

B.15 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]

- (a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provisions), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. A deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report.

The Quarterly Deviation and Compliance Monitoring Report does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.

**B.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination
[326 IAC 2-7-5(6)(C)] [326 IAC 2-7-8(a)] [326 IAC 2-7-9]**

- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, determines any of the following:
 - (1) That this permit contains a material mistake.
 - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.

- (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]
- (c) Proceedings by IDEM, OAQ, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

B.17 Permit Renewal [326 IAC 2-7-4]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ, and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

- (b) Timely Submittal of Permit Renewal [326 IAC 2-7-4(a)(1)(D)]
 - (1) A timely renewal application is one that is:
 - (A) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
 - (B) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
 - (2) If IDEM, OAQ, upon receiving a timely and complete permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.
- (c) Right to Operate After Application for Renewal [326 IAC 2-7-3]
If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ, takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAQ, any additional information identified as being needed to process the application.
- (d) United States Environmental Protection Agency Authority [326 IAC 2-7-8(e)]
If IDEM, OAQ, fails to act in a timely way on a Part 70 permit renewal, the U.S. EPA may invoke its authority under Section 505(e) of the Clean Air Act to terminate or revoke and reissue a Part 70 permit.

B.18 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]

- (a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.

- (b) Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

Any such application shall be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]
- (d) No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.

B.19 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)]
[326 IAC 2-7-12 (b)(2)]

- (a) No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.
- (b) Notwithstanding 326 IAC 2-7-12(b)(1) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

B.20 Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e), without a prior permit revision, if each of the following conditions is met:
- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
 - (2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;
 - (3) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
 - (4) The Permittee notifies the:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

- (5) The Permittee maintains records on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-7-20(b), (c), or (e) and makes such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ, in the notices specified in 326 IAC 2-7-20(b)(1), (c)(1), and (e)(2).

- (b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

- (1) A brief description of the change within the source;
- (2) The date on which the change will occur;
- (3) Any change in emissions; and
- (4) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) Emission Trades [326 IAC 2-7-20(c)]
The Permittee may trade increases and decreases in emissions in the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).
- (d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.

B.21 Source Modification Requirement [326 IAC 2-7-10.5]

A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2 and 326 IAC 2-7-10.5.

B.22 Inspection and Entry [326 IAC 2-7-6] [IC 13-14-2-2] [IC 13-30-3-1]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and

- (e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.23 Transfer of Ownership or Operational Control [326 IAC 2-7-11]

- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

The application which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.24 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, the applicable fee is due April 1 of each year.
- (b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, I/M & Billing Section), to determine the appropriate permit fee.

SECTION C

SOURCE OPERATION CONDITIONS

Entire Source

Emission Limitations and Standards [326 IAC 2-7-5(1)]

- C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour [40 CFR 52 Subpart P][326 IAC 6-3-2]
- (a) Pursuant to 40 CFR 52 Subpart P, particulate matter emissions from any process not already regulated by 326 IAC 6-1 or any New Source Performance Standard, and which has a maximum process weight rate less than 100 pounds per hour shall not exceed 0.551 pounds per hour.
- (b) Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour. This condition is not federally enforceable.
- C.2 Opacity [326 IAC 5-1]
- Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this permit:
- (a) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.
- C.3 Open Burning [326 IAC 4-1] [IC 13-17-9]
- The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1. 326 IAC 4-1-3 (a)(2)(A) and (B) are not federally enforceable.
- C.4 Incineration [326 IAC 4-2] [326 IAC 9-1-2]
- The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and 326 IAC 9-1-2. 326 IAC 9-1-2 is not federally enforceable.
- C.5 Fugitive Dust Emissions [326 IAC 6-4]
- The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). 326 IAC 6-4-2(4) is not federally enforceable.
- C.6 Operation of Equipment [326 IAC 2-7-6(6)]
- Except as otherwise provided by statute or rule, or in this permit, all air pollution control equipment listed in this permit and used to comply with an applicable requirement shall be operated at all times that the emission units vented to the control equipment are in operation.
- C.7 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]
- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.

- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
 - (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
 - (2) If there is a change in the following:
 - (A) Asbestos removal or demolition start date;
 - (B) Removal or demolition contractor; or
 - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

Indiana Department of Environmental Management
Asbestos Section, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project.

- (e) **Procedures for Asbestos Emission Control**
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Demolition and renovation**
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).
- (g) **Indiana Accredited Asbestos Inspector**
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Accredited Asbestos inspector is not federally enforceable.

Testing Requirements [326 IAC 2-7-6(1)]

C.8 Performance Testing [326 IAC 3-6]

- (a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.

A test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, if the source submits to IDEM, OAQ, a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

Compliance Requirements [326 IAC 2-1.1-11]

C.9 Compliance Requirements [326 IAC 2-1.1-11]

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements by issuing an order under 326 IAC 2-1.1-11. Any monitoring or testing shall be performed in accordance with 326 IAC 3 or other methods approved by the commissioner or the U. S. EPA.

Compliance Monitoring Requirements [326 IAC 2-7-5(1)] [326 IAC 2-7-6(1)]

C.10 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within ninety (90) days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.

The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for new emission units or emission units added through a source modification shall be implemented when operation begins.

C.11 Maintenance of Emission Monitoring Equipment [326 IAC 2-7-5(3)(A)(iii)]

- (a) In the event that a breakdown of the emission monitoring equipment occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem. To the extent practicable, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less frequent than required in Section D of this permit until such time as the monitoring equipment is back in operation. In the case of continuous monitoring, supplemental or intermittent monitoring of the parameter should be implemented at intervals no less often than once an hour until such time as the continuous monitor is back in operation.

- (b) The Permittee shall install, calibrate, quality assure, maintain, and operate all necessary monitors and related equipment. In addition, prompt corrective action shall be initiated whenever indicated.

C.12 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

Any monitoring or testing required by Section D of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, 40 CFR 60 Appendix B, 40 CFR 63, or other approved methods as specified in this permit.

C.13 Pressure Gauge and Other Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

- (a) Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent ($\pm 2\%$) of full scale reading.
- (b) Whenever a condition in this permit requires the measurement of a temperature or flow rate, the instrument employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent ($\pm 2\%$) of full scale reading.
- (c) The Preventive Maintenance Plan for the pH meter shall include calibration using known standards. The frequency of calibration shall be adjusted such that the typical error found at calibration is less than one pH point.
- (d) The Permittee may request the IDEM, OAQ approve the use of a pressure gauge or other instrument that does not meet the above specifications provided the Permittee can demonstrate an alternative pressure gauge or other instrument specification will adequately ensure compliance with permit conditions requiring the measurement of pressure drop or other parameters.

Corrective Actions and Response Steps [326 IAC 2-7-5] [326 IAC 2-7-6]

C.14 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

- (a) The Permittee shall prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.

- (b) These ERPs shall be submitted for approval to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

within ninety (90) days after the date of issuance of this permit.

The ERP does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) If the ERP is disapproved by IDEM, OAQ, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.
- (d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.
- (e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.

- (f) Upon direct notification by IDEM, OAQ, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.15 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]

If a regulated substance, as defined in 40 CFR 68, is present at a source in more than a threshold quantity, the source must comply with the applicable requirements of 40 CFR 68.

C.16 Compliance Response Plan - Preparation, Implementation, Records, and Reports [326 IAC 2-7-5]
[326 IAC 2-7-6]

- (a) The Permittee is required to prepare a Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. *[If a Permittee is required to have an Operation, Maintenance and Monitoring (OMM) Plan (or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan) under 40 CFR 60/63, such plans shall be deemed to satisfy the requirements for a CRP for those compliance monitoring conditions.]* A CRP shall be submitted to IDEM, OAQ upon request. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee, supplemented from time to time by the Permittee, maintained on site, and comprised of:

- (1) Reasonable response steps that may be implemented in the event that a response step is needed pursuant to the requirements of Section D of this permit; and an expected timeframe for taking reasonable response steps.
- (2) If, at any time, the Permittee takes reasonable response steps that are not set forth in the Permittee's current Compliance Response Plan *[for Operation, Maintenance and Monitoring (OMM) Plan (or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan)]* and the Permittee documents such response in accordance with subsection (e) below, the Permittee shall amend its Compliance Response Plan *[for Operation, Maintenance and Monitoring (OMM) Plan (or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan)]* to include such response steps taken.

[The OMM Plan (or Parametric Monitoring and SSM Plan) shall be submitted within the time frames specified by the applicable 40 CFR 60/63 requirement.]

- (b) For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition as follows:
 - (1) Reasonable response steps shall be taken as set forth in the Permittee's current Compliance Response Plan *[for Operation, Maintenance and Monitoring (OMM) Plan (or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan)]*; or
 - (2) If none of the reasonable response steps listed in the Compliance Response Plan *[for Operation, Maintenance and Monitoring (OMM) Plan (or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan)]* is applicable or responsive to the excursion, the Permittee shall devise and implement additional response steps as expeditiously as practical. Taking such additional response steps shall not be considered a deviation from this permit so long as the Permittee documents such response steps in accordance with this condition.
 - (3) If the Permittee determines that additional response steps would necessitate that the emissions unit or control device be shut down, the IDEM, OAQ shall be promptly notified of the expected date of the shut down, the status of the applicable compliance monitoring parameter with respect to normal, and the results of the actions taken up to the time of notification.
 - (4) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (c) The Permittee is not required to take any further response steps for any of the following reasons:

- (1) A false reading occurs due to the malfunction of the monitoring equipment and prompt action was taken to correct the monitoring equipment.
 - (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for a minor permit modification to the permit, and such request has not been denied.
 - (3) An automatic measurement was taken when the process was not operating.
 - (4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.
- (d) When implementing reasonable steps in response to a compliance monitoring condition, if the Permittee determines that an exceedance of an emission limitation has occurred, the Permittee shall report such deviations pursuant to Section B-Deviations from Permit Requirements and Conditions.
- (e) The Permittee shall record all instances when, in accordance with Section D, response steps are taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.
- (f) Except as otherwise provided by a rule or provided specifically in Section D, all monitoring as required in Section D shall be performed when the emission unit is operating, except for time necessary to perform quality assurance and maintenance activities.

**C.17 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]
[326 IAC 2-7-6]**

- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.
- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.
- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

**C.18 Emission Statement [326 IAC 2-7-5(3)(C)(iii)] [326 IAC 2-7-5(7)] [326 IAC 2-7-19(c)]
[326 IAC 2-6]**

- (a) The Permittee shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6, that must be received by July 1 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The annual emission statement shall meet the following requirements:
 - (1) Indicate estimated actual emissions of criteria pollutants from the source, in compliance with 326 IAC 2-6 (Emission Reporting);
 - (2) Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1(32) ("Regulated pollutant which is used only for purposes of Section 19 of this rule") from the source, for purposes of Part 70 fee assessment.

- (b) The annual emission statement covers the twelve (12) consecutive month time period starting January 1 and ending December 31. The annual emission statement must be submitted to:

Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

The emission statement does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) The annual emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.

C.19 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]

- (a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- (b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

C.20 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

- (a) The source shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:
- Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years.

Stratospheric Ozone Protection

C.21 Compliance with 40 CFR 82 and 326 IAC 22-1

Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with the standards for recycling and emissions reduction:

- (a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.
- (b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
- (c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

SECTION D.1

FACILITY OPERATION CONDITIONS

Facility Description [326 IAC 2-7-5(15)]:

- (a) One (1) fixed roof cone tank, identified as Tank No. 23, constructed in 1942, with a capacity of 9,828 gallons;
- (b) One (1) fixed roof cone tank, identified as Tank No. 27, constructed in 1961, with a capacity of 42,000 gallons;
- (c) One (1) fixed roof cone tank, identified as Tank No. 28, constructed in 1961, with a capacity of 42,000 gallons;
- (d) One (1) fixed roof cone tank, identified as Tank No. 31, constructed in 1942, with a capacity of 8,274 gallons;
- (e) One (1) fixed roof cone tank, identified as Tank No. 32, constructed in 1942, with a capacity of 9,744 gallons;
- (f) One (1) tank, identified as Skid Tank, constructed in 1960, with a capacity of 576 gallons;
- (g) One (1) tank, identified as Dock Tank, constructed in 1950, with a capacity of 564 gallons;
- (h) One (1) upstream barge containment, constructed in 1942, with a capacity of 12,209 gallons;
- (i) One (1) downstream barge containment, constructed in 1942, with a capacity of 12,209 gallons;
- (j) One (1) barge loading and unloading facility, constructed in 1952;
- (k) Pipeline Valves: Gas Stream;
- (l) Pipeline Valves: Light Liquid;
- (m) Pipeline Valves: Heavy Liquid;
- (n) Open Ended Valves;
- (o) Flanges;
- (p) Pump Seals: Light Liquid;
- (q) Pump Seals: Heavy Liquid;
- (r) Drains; and
- (s) Vessel RV's.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Compliance Determination Requirements [326 IAC 2-7-6(1)]

D.1.1 Emission Estimation Procedure [40 CFR 63.565(l)]

The owner or operator shall calculate an annual estimate of HAP emissions, excluding commodities exempted by 40 CFR 63.560(d), from marine tank vessel loading operations.

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

D.1.2 Record Keeping Requirements [40 CFR 63.567(j)(4)]

To document compliance with Condition D.1.1, the Permittee shall maintain records in accordance with (1) through (2) below.

- (1) Emission estimates determined.
- (2) Actual throughputs by commodity, for five (5) years.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF AIR QUALITY

PART 70 OPERATING PERMIT CERTIFICATION

Source Name: Countrymark Cooperative, LLP
Source Address: South Mann and West Ohio Street, Mt. Vernon, IN 47620
Mailing Address: 1200 Refinery Road, Mt. Vernon, IN 47620
Part 70 Permit No.: T129-7742-00037

This certification shall be included when submitting monitoring, testing reports/results or other documents as required by this permit.

Please check what document is being certified:

- 9 Annual Compliance Certification Letter
- 9 Test Result (specify) _____
- 9 Report (specify) _____
- 9 Notification (specify) _____
- 9 Affidavit (specify) _____
- 9 Other (specify) _____

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Signature:

Printed Name:

Title/Position:

Phone:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH
100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
Phone: 317-233-5674
Fax: 317-233-5967**

**PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT**

Source Name: Countrymark Cooperative, LLP
Source Address: South Mann and West Ohio Street, Mt. Vernon, IN 47620
Mailing Address: 1200 Refinery Road, Mt. Vernon, IN 47620
Part 70 Permit No.: T129-7742-00037

This form consists of 2 pages

Page 1 of 2

- 9** This is an emergency as defined in 326 IAC 2-7-1(12)
- C** The Permittee must notify the Office of Air Quality (OAQ), within four **(4)** business hours (1-800-451-6027 or 317-233-5674, ask for Compliance Section); and
 - C** The Permittee must submit notice in writing or by facsimile within two **(2)** working days (Facsimile Number: 317-233-5967), and follow the other requirements of 326 IAC 2-7-16.

If any of the following are not applicable, mark N/A

Facility/Equipment/Operation:

Control Equipment:

Permit Condition or Operation Limitation in Permit:

Description of the Emergency:

Describe the cause of the Emergency:

If any of the following are not applicable, mark N/A

Page 2 of 2

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO ₂ , VOC, NO _x , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

A certification is not required for this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE DATA SECTION**

**PART 70 OPERATING PERMIT
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: Countrymark Cooperative, LLP
Source Address: South Mann and West Ohio Street, Mt. Vernon, IN 47620
Mailing Address: 1200 Refinery Road, Mt. Vernon, IN 47620
Part 70 Permit No.: T129-7742-00037

Months: _____ to _____ Year: _____

Page 1 of 2

This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. Deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".

9 NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.

9 THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD

Permit Requirement (specify permit condition #)

Date of Deviation:

Duration of Deviation:

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

Permit Requirement (specify permit condition #)

Date of Deviation:

Duration of Deviation:

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Form Completed By: _____

Title/Position: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

Indiana Department of Environmental Management Office of Air Management

Addendum to the Technical Support Document for a Part 70 Operating Permit

Source Name:	Countrymark Cooperative, LLP
Source Location:	South Mann and West Ohio Street, Mt. Vernon, IN 47620
County:	Posey
Operation Permit No.:	T129-7742-00037 - Plant 2 T129-7882-00003 - Plant 1
SIC Code:	2911
Permit Reviewer:	NH/EVP

On January 2, 2002, the Office of Air Quality (OAQ) had a notice published in the Mount Vernon Democrat, Mount Vernon, Indiana, stating that Countrymark Cooperative, Inc. had applied for a Part 70 Operating Permit to operate a marine vessel loading and unloading river dock terminal. The notice also stated that OAQ proposed to issue a permit for this installation and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

On February 27, 2002, and March 13, 2002, Bryan G. Tabler submitted comments on behalf of Countrymark Cooperative, LLP on the proposed Part 70 Operating Permit. The summary of the comments and corresponding responses is as follows:

Comment 1

The permittee has changed its name to Countrymark Cooperative, LLP (from Countrymark Cooperative, Inc.).

Response 1

The permit has been updated with the name change.

Comment 2

Section A - Source Summary

Section A.2. Part 70 Source Definition. The draft permit says that the Terminal consists of two plants, the Terminal and Countrymark's Refinery, which is about 1.2 miles away from the Terminal. It is correct that Countrymark owns and operates two separate plants, but it is incorrect to say that the two plants constitute a single source.

The refinery is in SIC Code 2911 "Petroleum Refinery," which includes facilities primarily engaged in producing petroleum derivatives. The River Dock Terminal is about 1.2 miles away from the Refinery as the crow flies. The Terminal does not produce anything, and so it is not a refinery. The properties in between the facilities are not under control or ownership of Countrymark and consist of many intervening parcels of real property with completely different uses. The two plants are not contiguous or adjacent.

The River Dock Terminal is a stand-alone facility and is classified in SIC Code 4491 "Marine Cargo Handling."

The dominant regulatory regimes pertinent here are Title V of the Clean Air Act, which sets up the Title V permitting program, and Section 112 of the Act, which enables the National Emission Standards for Hazardous Air Pollutants ("NESHAP"). Both define a "major source" as a source or group of sources "located within a contiguous area and under common control...." 42 U.S.C. §§ 7412(a)(1) and 7661(2). The Indiana Supreme Court has held that "contiguous" means "touching":

The court found that although the territory sought to be annexed abutted the town's boundaries, the parcels were separate tracts that were not contiguous. The appellant contends that this statute [Burns' Ind. Stat. Anno. s 48-715 (1972 Supp.)] should be interpreted as not requiring that the parcels sought to be annexed be contiguous as long as they abut the town's boundary. With this contention we can not agree. The statute, in our opinion, is unambiguous and requires plainly both an "abutting" on the boundary of the municipality and the territory sought to be annexed also must be "contiguous", which means that the parcels must be touching each other.

The Town of Elberfeld, Indiana, et al. v. In re: Annexation of Certain Territory to the Town of Elberfeld, Indiana, et al., 260 Ind. 499, 296 N.E.2d 653, 654 (Ind. 1973); see also Civil City of Gas City v. Eastbrook Community School Corp., 377 N.E.2d 424, 425 (Ind. Ct. App. 1978) (a 103-acre tract approximately 2 miles from the preexisting city limits and a line running along the center of a state road connecting those limits to the tract was not contiguous and invalidated the ordinance's attempted "lasso annexation"); see also Harold E. Delph v. The Town Council of the Town of Fishers, 596 N.E.2d 294, 297 (Ind. Ct. App. 1992). Thus, for Indiana law purposes, the meaning of "contiguous" is settled. Therefore, the meaning of "major source" for purposes of IDEM's Title V permits is likewise settled by the same logic.

The legislative history of the Section 112(a)(1) definition was discussed in National Mining Association v. U.S. EPA, 59 F.3d 1351, 1359 (D.C. Cir. 1995). The House Report's discussion of the "major source" definition included the following:

For purposes of the definition, all emissions of listed pollutants are counted from a group of sources within a plant boundary (contiguous property under common ownership).

H. R. Rep. No. 490(I), 101st Cong., 2d Sess. 236-37 (1990), quoted in Nat'l Mining Ass'n, supra, 59 F.3d at 1359; see also the extended discussion at id., 1354-59, which indicates clearly that a major source means a "plant."

A less precise, but seminal, formulation is in the original 1970 enactment of Section 111 of the Act dealing with the New Source Performance Standards ("NSPS"). It read then as it does today:

The term "stationary source" means any building, structure, facility, or installation which emits or may emit any air pollutant.

42 U.S.C. § 7411(a)(3). This formulation was used in the original Prevention of Significant Deterioration provisions of the Act in 1977. 42 U.S.C. § 7479(1). See Alabama Power Co. v. Costle, 636 F.2d 323, 395 (D.C. Cir. 1979). In the course of implementing the Act's PSD provisions, EPA attempted to broaden the regulatory definition to include, in addition to the four statutory terms quoted above, "equipment," "operation" and "combination thereof." Id. When this was challenged, the court held that the statutory definition "clearly does mean that a plant is to be viewed as a source" and invalidated EPA's new definition as too expansive. Id.

Trying again, EPA promulgated what is still the operative regulatory definition at 40 CFR § 52.21(b)(5)-(6):

(5) Stationary source means any building, structure, facility, or installation which emits or may emit any air pollutant subject to regulation under the Act.

(6) Building, structure, facility, or installation means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person.

(Some emphasis added.) In promulgating this rule in response to the court's remand, the EPA Administrator stated the central purpose of this rewrite:

In EPA's view, the December opinion of the court in Alabama Power sets the following boundaries on the definition for PSD purposes of the component terms of "source": (1) it must carry out reasonably the purposes of PSD; (2) it must approximate a common sense notion of "plant"; and (3) it must avoid aggregating pollutant-emitting activities that as a group would not fit within the ordinary meaning of "building," "structure," "facility," or "installation."

45 Fed. Reg 52676 (August 7, 1980) (emphasis added). Thus, the "one-or-more-contiguous-or-adjacent-properties" location is expressly designed to limit the geographical extent of a source to what is commonly understood to be a "plant."

The Air Pollution Control Board rules that IDEM administers are pretty much identical to the EPA rule at 40 CFR §§ 52.21(b)(5)-(6) that was, as shown above, expressly designed to limit the footprint of a "source" to a single "plant." See 326 IAC §§ 1-2-27; 1-2-73; 2-2-1(i) and (ii), 2-7-1(38) and (22). IDEM's common-sense understanding of "plant" for purposes of Countrymark's Title V permits is made clear by the proposed permits, Technical Support Documents, and Public Notices for the Countrymark Refinery and River Dock Terminal. IDEM fully understands and has given public notice that Countrymark's Refinery and River Dock Terminal are two separate plants.

If this is not enough to persuade that the attempted aggregation of Countrymark's two separate plants into one source is unlawful, the Court of Appeals of Indiana has recently constructed the word "adjacent," which is used in the critical phrase "contiguous or adjacent properties."

In *Grandview Lot Owners Assoc, Inc. v. Harmon*, 754 N.E.2d 554 (Ind. Ct. App. 2001), the court had to decide whether a piece of property was adjacent to a lake. Judge Friedlander started with the plain meaning of the term. Webster's Third International Dictionary (1986) defines "adjacent" as "not distant or far off; nearby but not touching; relatively near and having nothing of the same kind intervening; having a common border." Webster's at 26. The court found the most meaningful of these to be "relatively near and having nothing of the same kind intervening." "Adjacency" under this definition requires a special kind of physical proximity, but not necessarily touching. *Grandview*, at 560. In order to be considered adjacent in cases where there is no touching, an object must be the nearest of its kind to the other object in question. This critical aspect of the meaning of the term "adjacent" is emphasized in Merriam-Webster's Online Collegiate Dictionary at www.m-w.com/cgi-bin/dictionary, which sets forth the definition of adjacent as "Adjacent may or may not imply contact but always implies absence of anything of the same kind in between[.]" *Id.* (emphasis added).

Consistent with this meaning, a parcel would be adjacent to the lake so long as there were nothing of the same kind, i.e., another parcel of platted land, between that parcel and the lake. The court in *Grandview* held that the property in question was not adjacent to the lake, because it was separated from the lakeshore by a street and a line of lake-front lots on the other side of the intervening street. Applying this sense of the term "adjacent" in the regulatory phrase "contiguous or adjacent properties" to Countrymark's two plants leads to the conclusion that the Refinery and River Dock Terminal do not occupy adjacent properties and so cannot be a single source. Because there are other properties in between the two plant properties, those two plants are neither contiguous with, nor adjacent to, each other.

Of course, there is no real need here to be overly concerned with hairsplitting the word “adjacent.” That is because the question of collapsing the two sites into one source is really only important for purposes of the NESHAP. The statutory and regulatory definitions of “major source” applicable to the NESHAP program do not use the word “adjacent.” They define a major source as a source or group of sources “located within a contiguous area and under common control” and having the requisite level of emissions. Act, § 112(a)(1), 42 U.S.C. § 7412(a)(1); 40 CFR § 63.2; 326 IAC § 20-1-1. Contiguity requires “touching,” and there are no two ways about it. See, e.g., *United States v. St. Anthony Railroad Co.*, 192 U.S. 524, 534-538 (1904); *Town of Elberfeld*, supra at 2,260 Ind. 499, 296 N.E.2d 653, 654 (Ind. 1973).

Two separate plants that do not adjoin each other cannot be one source for purposes of the NESHAP. Similarly, the Title V program is enabled by provisions of the Act that define a major source as a source or group of sources “located within a contiguous area....” Act, § 501(2), 42 U.S.C. § 7661(2). The implementing rules define a major source as a source or group of sources “located on one or more contiguous or adjacent properties....” 40 CFR § 70.2, 326 IAC 2-7-1-1(22). Because the agencies are without authority to expand the meaning of “major source” beyond that prescribed by Congress, it is clear that the sense of the word “adjacent” in the Title V rules is the sense that is synonymous with “contiguous.” This is supported by the legislative history and case law, as indicated at page 3 above.

The Refinery and Terminal are two separate plants, widely separated by many pieces of property not under the control of Countrymark. These properties are neither contiguous nor adjacent to each other, and so the two plant sites constitute two separate sources for all regulatory purposes under the air programs.

For these reasons it is unlawful to claim that Countrymark’s Refinery and its River Dock Terminal constitute a single building, structure, facility or installation for any purpose. Accordingly, Section A.2 of the permit should be revised as follows:

A.2 Part 70 Source Definition [326 IAC 2-7-1(22)]

~~This marine vessel loading and unloading river dock terminal company consists of two (2) plants is located at South Main St. and West Ohio St., Mount Vernon, IN 47620:~~

~~(a) — Plant 1, the refinery, is located at 1200 Refinery Road, Mount Vernon, IN 47620; and~~

~~(b) — Plant 2, the river dock terminal, is located at South Main St. and West Ohio St., Mount Vernon, IN 47620.~~

~~Since the two (2) plants are located on contiguous or adjacent properties, belong to the same industrial grouping, and under common control of the same entity, they will be considered one (1) source, effective from the date of issuance of this Part 70 permit.~~

~~Separate Part 70 permits (129-7742-00037 and T129-7882-00003) will be issued to Countrymark Cooperative, Inc. in Mount Vernon, Indiana, solely for administrative purposes.~~

Response 2

For the purposes of the Part 70 permit review, U.S. EPA and OAQ established the following guidance for determining whether multiple plants should be considered as a single source. They are:

- 1) The sources have a common owner
- 2) The sources have the same two digit SIC Code
- 3) The sources are contiguous or adjacent

Based on the following guidance, it was determined that the two plants shall be considered as one source due to the following reasons:

- 1) Both plants have a common owner (Countrymark Cooperative, LLP)
- 2) Both plants are under common control, they are operated by different divisions in the same company
- 3) Both plants have the same SIC code of 2911
- 4) Both plants provide the following to one another:
 - The river dock terminal (Plant 2) provides raw crude oil and other feedstock to the refinery
 - Finished refinery (Plant 1) products (gasolines, diesel fuels, furnace oils, heater oils, and industrial fuel oils) are transported to and from the river dock
 - The river dock terminal (Plant 2) treats river water for use at the refinery (Plant 1) and is the waste water discharge point for the refinery (Plant 1)
- 5) The refinery (Plant 1) is located approximately 1 mile to the north of the river dock terminal (Plant 2)
- 6) The river dock terminal (Plant 2) is connected to the refinery (Plant 1) by several underground pipes for crude oil, finished product and treated water/waste water

A recent inspection was performed of both plants and it was determined that the river dock terminal (Plant 2) exists to move product to and from barges to the refinery (Plant 1) and the refinery back to the barges through a pipeline system which exists between the two sites. Thus, the two plants will be considered as one source. No changes have been made to the permit as a result of this comment.

Comment 3

Section A.2(b). Addresses.

The address is South Mann Street, not South Main.

Response 3

The address has been corrected in Condition A.2(b) as follows:

A.2 Part 70 Source Definition [326 IAC 2-7-1(22)]

This marine vessel loading and unloading river dock terminal company consists of two (2) plants:

- (a) Plant 1, the refinery, is located at 1200 Refinery Road, Mount Vernon, IN 47620; and
- (b) Plant 2, the river dock terminal, is located at South ~~Main~~ **Mann** St. and West Ohio St., Mount Vernon, IN 47620.

Since the two (2) plants are located on contiguous or adjacent properties, belong to the same industrial grouping, and under common control of the same entity, they will be considered one (1) source, effective from the date of issuance of this Part 70 permit.

Separate Part 70 permits (129-7742-00037 and T129-7882-00003) will be issued to Countrymark Cooperative, ~~the~~ **LLP** in Mount Vernon, Indiana, solely for administrative purposes.

Comment 4

Section A.4. Specifically Regulated Insignificant Activities.

This section says that there are no insignificant activities, as defined in 326 IAC 2-7-1(21), at the Terminal. This is incorrect. Most of the tanks are insignificant under 326 IAC 2-7-1(21). It is correct, however, that none of the insignificant activities at the Terminal is subject to specific controls.

Response 4

Condition A.4 has been revised as follows to indicate that none of the insignificant activities at the Terminal are subject to specific regulations.

A.4 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)]
[326 IAC 2-7-5(15)]

~~This stationary source does not currently have any insignificant activities, as defined in 326 IAC 2-7-1(21).~~

This stationary source does not currently have any insignificant activities, as defined in 326 IAC 2-7-1 (21) that have applicable requirements.

Comment 5

Section B.1. Definitions.

This should be revised to delete the parenthetical, because other federal and state statutes and regulations are applicable in some instances.

Response 5

Parenthetical in Condition B.1, (Definitions) contains a general rule citation, applicable only when the definitions are absent in the referenced regulation and thus it would not apply in all cases. No change was made as a result of this comment.

Comment 6

Section B.13. Permit Shield.

All the determinations of regulatory inapplicability in the TSD should be set out in the permit. They are (or should be) as follows:

Tank Nos. 23, 27, 28, 31, 32, Skid Tank, Dock Tank, Upstream Barge Containment and Downstream Barge Containment are not subject to the New Source Performance Standard, 326 IAC 12, 40 CFR Part 60.110, Subpart K (Volatile Organic Liquid Storage Vessels) because the tanks were constructed or modified prior to June 11, 1973.

The one (1) barge loading and unloading facility is not subject to the New Source Performance Standards, 326 IAC 12 (40 CFR Part 60.500, Subpart XX) "Standards of Performance for Bulk Gasoline Terminals" because it was constructed or modified prior to December 17, 1980.

Because it is not a major source of hazardous air pollutant emissions, the Terminal is not subject to any part of 40 CFR Part 63 except the recordkeeping requirements of 40 CFR § 63.567(j)(4) and the emission estimating requirements of § 63.565(l). See the discussion of potential emissions from the Terminal in the comments below on Section D of the permit, and at Exhibit A hereto.

The Terminal is not subject to the requirements of the National Emission Standards for Hazardous Air Pollutants, 326 IAC 20.17 (40 CFR § 63.560, Subpart Y) because it does not have an annual throughput greater than or equal to ten (10) million barrels of gasoline or two hundred (200) million barrels of crude oil. Therefore, the requirements of Subpart Y do not apply to the Terminal.

326 IAC 2-2 (Prevention of Significant Deterioration) does not apply to the Terminal because all units at the Terminal were constructed prior to the applicability date of August 7, 1977.

The Terminal is not subject to the provisions of 326 IAC 8-1-6. This rule applies to facilities located in any county constructed after January 1, 1980, which are not otherwise regulated by any other provisions of 326 IAC 8, and have potential emissions of 25 tons/yr or greater. The Terminal was constructed prior to January 1, 1980, and therefore, this rule does not apply.

None of the units at the Terminal is subject to 326 IAC 8-4-3 (Petroleum Liquid Storage Facilities) because they were constructed before January 1, 1980.

The barge loading and unloading facility is not subject to the requirements at 326 IAC 8-4-4 (Bulk Gasoline Terminals), because it was constructed before the applicability date of January 1, 1980.

The Terminal is not subject to the requirements at 326 IAC 8-4-5 (Bulk Gasoline Plants), because the Terminal is not located in any of the listed counties.

The one (1) barge loading and unloading facility is not subject to the requirements of 326 IAC 8-4-6 (Gasoline Dispensing Facilities), because it does not dispense gasoline into motor vehicle fuel tanks or portable containers, is not a gasoline dispensing facility, and is not located in any of the listed counties and it was constructed prior to July 1, 1989.

The one (1) barge loading and unloading facility is not subject to the requirements at 326 IAC 8-4-7 (Gasoline Transports), because it was constructed before the applicability date of January 1, 1980.

The one (1) barge loading and unloading facility is not subject to this rule because it is not subject to the requirements of 326 IAC 8-4-4 through 326 IAC 8-4-6 and also not subject to the requirements of 326 IAC 8-4-9 (Leaks from Transports and Vapor Collection Systems, Records) and it was constructed prior to January 1, 1980.

The Terminal is not subject to 326 IAC 8-6 (Organic Solvent Emission Limitations) because it was not constructed after October 7, 1974, and prior to January 1, 1980, and it is not in Marion or Lake County.

The Terminal is not subject to the requirements of 326 IAC 8-7 (Specific VOC Reduction Requirements for Lake, Porter, Clark and Floyd Counties), because the Terminal is not located in one of the listed counties.

The Terminal storage tanks are not subject to the requirements of 326 IAC 8-9 (Volatile Organic Liquid Storage Vessels) because the Terminal is not located in one of the listed counties.

Response 6

OAQ has agreed to incorporate all regulatory inapplicability conditions as explained in the TSD into Condition B.13 by replacing Item (b) with inapplicability conditions and Item (h) has been revised to correct the rule cite as follows:

B.13 Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]

- (a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed in compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this permit or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The Indiana statutes from IC 13 and rules from 326 IAC, referenced in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.

This permit shield does not extend to applicable requirements which are promulgated after the date of issuance of this permit unless this permit has been modified to reflect such new requirements.

- ~~(b) This permit shall be used as the primary document for determining compliance with applicable requirements established by previously issued permits. All previously issued operating permits are superseded by this permit.~~

- (b) In addition to the nonapplicability determinations set forth in Sections D of this permit, the IDEM, OAQ has made the following determination regarding this source:**

Tanks Nos. 23, 27, 28, 31, 32, Skid Tank, Dock Tank, Upstream Barge Containment and Downstream Barge Containment are not subject to the New Source Performance Standard, 326 IAC 12, 40 CFR Part 60.110, Subpart K (Volatile Organic Liquid Storage Vessels) because the tanks were constructed prior to June 11, 1973.

The one (1) barge loading and unloading facility is not subject to the New Source Performance Standard, 326 IAC 12, (40 CFR Part 60.500, Subpart XX) "Standards of Performance for Bulk Gasoline Terminals" because the loading rack was constructed prior to December 17, 1980.

The river dock terminal is not a major source of hazardous air pollutants and thus is not subject to any part of 40 CFR 63 except the recordkeeping requirements of 40 CFR 63.567(j)(4) and the emission estimating requirements of 40 CFR 63.565(l) which apply to existing sources with HAP emissions less than 10 and 25 tons.

The river dock terminal is not subject to the requirements of the National Emission Standards for Hazardous Air Pollutants 326 IAC 20.17, (40 CFR 63.560, Subpart Y) because it does not have an annual throughput greater than or equal to ten (10) million barrels of gasoline or two hundred (200) million barrels of crude oil. Therefore the requirements of Subpart Y do not apply to the source.

326 IAC 2-2 (Prevention of Significant Deterioration) does not apply to the river dock terminal because all units were constructed prior to the applicability date of August 7, 1977.

The river dock terminal is not subject to 326 IAC 2-4.1-1 (New Source Toxics Control) because the emission units at the river dock terminal were constructed prior to July 27, 1997. Therefore, 326 IAC 2-4.1-1 does not apply.

This marine vessel loading and unloading river dock terminal is not subject to the provision of 326 IAC 8-1-6. This rule applies to facilities located in any county constructed after January 1, 1980, which are not otherwise regulated by any other provisions of 326 IAC 8, and have potential emissions of 25 tons/yr or greater. This marine vessel loading and unloading river dock terminal was constructed prior to January 1, 1980, and therefore, this rule does not apply.

None of the units at the river dock terminal are subject to 326 IAC 8-4-3 (Petroleum Liquid Storage Facilities) because they were constructed before January 1, 1980.

The barge loading and unloading facility, is not subject to the requirements of 326 IAC 8-4-4 (Bulk Gasoline Terminals), because it was constructed before the applicability date of January 1, 1980.

The river dock terminal is not subject to the requirements of 326 IAC 8-4-5 (Bulk Gasoline Plants), because the river dock terminal is not located in any of the listed counties.

The one (1) barge loading and unloading facility is not subject to the requirements of 326 IAC 8-4-6 (Gasoline Dispensing Facilities), because it does not dispense gasoline into motor vehicle fuel tanks or portable containers, is not a gasoline dispensing facility, and is not located in any of the listed counties and it was constructed prior to July 1, 1989.

The one (1) barge loading and unloading facility is not subject to the requirements of 326 IAC 8-4-7 (Gasoline Transports), because it was constructed before the applicability date of January 1, 1980.

The one (1) barge loading and unloading facility is not subject to 326 IAC 8-4-9 (Leaks from Transports and Vapor Collection Systems; Records) because it is not subject to the requirements of 326 IAC 8-4-4 through 326 IAC 8-4-6 and also not subject to the requirements of 326 IAC 8-4-9 (Leaks from Transports and Vapor Collection Systems, Records) and it was constructed prior to January 1, 1980.

The river dock terminal is not subject to 326 IAC 8-6 (Organic Solvent Emission Limitations) because it was not constructed after October 7, 1974, and prior to January, 1980 and it does not have potential VOC emissions of greater than 100 tons per year.

The river dock terminal is not subject to the requirements of 326 IAC 8-7 (Specific VOC Reduction Requirements for Lake, Porter, Clark and Floyd Counties), because the river dock terminal is not located in one of the listed counties.

The river dock terminal storage tanks are not subject to the requirements of 326 IAC 8-9 (Volatile Organic Liquid Storage Vessels) because the river dock terminal is not located in one of the listed counties.

- (c) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.
- (d) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.
- (e) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
 - (1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;
 - (2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;
 - (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and
 - (4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.
- (f) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).
- (g) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, has issued the modifications. [326 IAC 2-7-12(c)(7)]
- (h) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, has issued the modification. [326 IAC 2-7-12(b)(78)]

Comment 7

Section D - Facility Operation Conditions

All references to 40 CFR Part 63 should be removed from the permit (except for a non-applicability determination and the reference to 40 CFR §§ 63.560(a)(3), 63.567(j)(4), and 63.565(l), set out in these comments under Section D.1.1, etc. below) because the Terminal does not emit or have the potential to emit 10 tons per year of any hazardous air pollutant or 25 tons per year of any combination of air pollutants. The potential emissions of the Terminal in Countrymark's 1996 application were overestimated. Most of the potential emissions are from barge loading operations. The 1996 application calculated the maximum potential as the product of the average barge loading pump capacity (3,500 barrels/hr.) times 8,760 hours. This is much more than actual conditions would ever allow for at least two reasons: First, the processes of docking a barge, connecting it to, and disconnecting it from, the loading pipes, and undocking it, take as much time as filling it. Therefore, the actual loading operation can be conducted, at the very most, half the time. Second, there is not available to Countrymark, from all sources combined, as much gasoline as was assumed in the 1996 application estimates.

For these reasons, Countrymark has re-estimated potential emissions according to more realistic assumptions. More than 99% of potential emissions are from gasoline loading. A conservative method of estimating this potential is to assume that all of the Refinery's maximum production capacity for gasoline is loaded onto barges at the Terminal. (This does not actually happen: The Refinery does not produce at this level day in and day out, and it does not send all its product through the Terminal. But this is a conservative way to calculate potential Terminal emissions.) The Refinery's maximum capacity is 24,000 bpd of crude oil, 45% of which can be made into gasoline, which is the most emissive product in question. This would yield 165,564,000 gal/yr of gasoline and 202,356,000 gal/yr of other distillates and fuel oils. This represents the worst case considering the physical and operational characteristics of the facility even if some of the products loaded at the barge terminal are not produced at the Refinery.

As for the remaining emission units:

Tank 27 is the only true large product storage tank, and it is used for distillate materials and not gasoline. Potential emissions are calculated below using the assumption that the tank receives product 8,760 hr/yr.

The other tanks are used for pipeline interface. The potential emissions are based on storage of slop oil (mixture of gasoline and distillates) with 10 tank turnovers per year.

The stripping tank is a small tank and an insignificant activity since the throughput is less than 12,000 gallons per year. Potential emissions are based upon 12,000 gallons of RVP 13 gasoline.

The dock tank provides fuel for the boat motor, so it is also an insignificant activity, since the throughput is less than 1300 gal/day. Potential emissions are based on 1300 gal/day, 365 day/yr.

The containment tanks on the stationary loading barge also qualifies as an insignificant activity. One tank turnover of slop oil is assumed for the potential emission estimate.

The recalculated potential emissions for the Terminal are 326.64 tpy of VOC and 5.93 tpy combined HAP. This includes emissions from both significant and insignificant sources at the Terminal, including barge loading, fugitive emissions from components and storage tanks, and emissions from both gasoline and distillate sources. To be conservative, the gasoline specification was used for the slop oil emissions.

The newly calculated potential emissions are summarized as follows:

Emission Unit	Potential Basis	Potential VOC Emissions, ton/yr	Potential Combined HAP, ton/yr
Barge Loading - Gasoline	Refinery potential gasoline production - 165,564,000 gal/yr	322.85	5.55
Barge Loading - Distillates/Fuel Oils	Refinery potential distillates production - 202,356,000 gal/yr	1.21	0.18
*** Barge Loading - Crude Oil	Refinery potential crude oil processing volume - 367,920,000 gal/yr Potential VOC = 2.39 ton/yr	NA	NA
Tank 27	10 tank turnovers (588,672,000 gal/yr) kerosene	1.17	0.18
Tank 23	10 tank turnovers (93,200 gal/yr) pipeline interface (slop oil)	0.04	0.0007
Tank 28	10 tank turnovers (93,200 gal/yr) pipeline interface (slop oil)	0.17	0.0029
Tank 31	10 tank turnovers (79,315 gal/yr) pipeline interface (slop oil)	0.03	0.0006
Tank 32	10 tank turnovers (86,417 gal/yr) pipeline interface (slop oil)	0.04	0.0006
Stripping Tank	Insignificant Activity - 12,000 gal/yr gasoline	0.14	0.0025
Dock Tank	Insignificant Activity - 475,000 gal/yr gasoline	0.54	0.0093
Upstream Barge Containment	Insignificant Activity - One tank turnover (12,209 gal/yr) slop oil	0.03	0.0005
Downstream Barge Containment	Insignificant Activity - One tank turnover (12,209 gal/yr) slop oil	0.03	0.0005
Fugitive emissions, leaks from valves, pumps, flanges, etc.	Number of components (assume all in gasoline service) x emission factor, 4% leak rate assumed	0.39	0.0067
Total		326.64	5.93

*** This volume of crude oil cannot be loaded in addition to the potential volumes of gasoline and distillates/fuel oils. The worst case potential emission scenario is loading gasoline and distillates/fuel oils.

The calculation worksheets for the revised potential emission estimates and 2000 calendar year actual emission estimates are attached as Exhibit A.

Response 7

IDEM, OAQ has reviewed the updated potential emissions and based on the revised potential emissions single HAP emissions are less than 10 tons per year and total HAP emissions are less than 25 tons per year, 40 CFR 63.420, Subpart R does not apply. Thus, conditions D.1 through D.7 will be removed from the permit.

Subpart Y does not apply to the source, but the recordkeeping requirement of 40 CFR 63.567(j)(4) and the emission estimation requirements of 40 CFR 63.565(l) apply to an existing source with single HAP emissions less than 10 tons per year and total HAP emissions less than 25 tons per year. Thus, the following new Conditions will be added to Section D.1.

Compliance Determination Requirements [326 IAC 2-7-6(1)]

D.1.1 Emission Estimation Procedure [40 CFR 63.565(l)]

The owner of operator shall calculate an annual estimate of HAP emissions, excluding commodities exempted by 40 CFR 63.560(d), from marine tank vessel loading operations.

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

D.1.2 Record Keeping Requirements [40 CFR 63.567(j)(4)]

To document compliance with Condition D.1.1, the Permittee shall maintain records in accordance with (1) through (2) below.

- (1) Emission estimates determined.**
- (2) Actual throughputs by commodity, for five (5) years.**

The OAQ prefers that the Technical Support Document reflect the permit that was on public notice. Changes to the permit or technical support material that occur after the public notice are documented in this Addendum to the Technical Support Document. This accomplishes the desired result of ensuring that these types of concerns are documented and part of the record regarding this permit decision.

IDEM, OAQ has reviewed the updated potential emissions and based on the revised potential emissions, the Potential to Emit After Issuance - Plant 2 section and the Potential to Emit After Issuance of Entire Source - Plant 1 + Plant 2 section has been updated.

Potential to Emit After Issuance - Plant 2

The table below summarizes the potential to emit, reflecting all limits, of the significant emission units after controls. The control equipment is considered federally enforceable only after issuance of this Part 70 operating permit.

	Potential to Emit (tons/year)							
Process/facility	PM	PM-10	SO ₂	VOC	CO	NO _x	Single HAP	HAPs
Tanks 23, 27, 28, 31, 32, Skid Tank, Dock Tank, Upstream Barge Containment, Downstream Barge Containment	--	--	--	10,923.12 326.25	--	--	174.77 5.55	573.46 5.93
Fugitive Emissions*	--	--	--	5,987.84 0.39	--	--	--	--
Total Emissions	--	--	--	16,910.96 326.64	--	--	174.77 5.55	573.46 5.93

* Fugitive Emissions consist of barge loading and unloading, pipeline valves: gas stream, pipeline valves: light liquid, pipeline valves: heavy liquid, open ended valves, flanges, pump seals: light liquid, pump seals: heavy liquid, drains and vessel rv's. The fugitive emissions were provided by the source.

Potential to Emit After Issuance of Entire Source - Plant 1 + Plant 2

The table below summarizes the potential to emit, reflecting all limits, of the significant emission units after controls. The control equipment is considered federally enforceable only after issuance of this Part 70 operating permit.

	Potential to Emit (tons/year)						
Process/facility	PM	PM-10	SO ₂	VOC	CO	NO _x	HAPs
Plant 1 Total	303.36	138.44	8,710.57	5,462.47	10,359.57	851.53	1,733.4 (total) 761.61 (single)
Plant 2 Total	--	--	--	16,910.96 326.64	--	--	573.46 (total) 174.77 (single) 5.93 (total) 5.55 (single)
Total Emissions	303.36	138.44	8,710.57	22,373.43 5,789.11	10,359.57	851.53	2,306.86 (total) 936.38 (single) 1,739.33 (total) 767.16 (single)

Comment 8

Sections D.1.1, D.1.2, and D.1.4 through D.1.7.

These provisions should be deleted from the permit because the Terminal is not a major source of hazardous air pollutants. Additionally, the "tank truck loading rack" referred to in Section D.15 is not present at the Terminal and not among the facilities listed in the Facility Description.

The only requirement of the NESHAP to which the Terminal is subject is 40 CFR § 63.560(a)(3), which requires the Terminal to meet the recordkeeping requirements of § 63.567(j)(4) and emission estimation requirements of § 63.565(l).

Response 8

Please refer to Comment/Response 7.

Comment 9

Comments on the Technical Support Document

Potential to Emit of Entire Source (TSD, pp 3-6 of 12).

This should be redone to include only the Terminal's emissions. The Refinery is a separate source and cannot lawfully be aggregated with the Terminal. Also, the Terminal's emissions have been overestimated, as set out above.

Federal Rule Applicability - Plant 2.

Subparagraph (c) says that the facility is subject to 40 CFR Part 63, Subpart R. This is incorrect, because the Terminal is not a major source under 40 CFR § 63.2 and is not within the contiguous area of any major source. See above and see 40 CFR § 63.420(a)(2). The entirety of subparagraph (c) of the Federal Rule Applicability portion of the TSD should be deleted except for a finding that 40 CFR Part 63 does not apply to the Terminal.

Compliance Requirements.

The matter beginning with the third paragraph (referring to 40 CFR § 63.427) is incorrect and should be deleted. The "tank truck loading rack" is at the Refinery. The Terminal is not subject to 40 CFR Part 63 for the reasons stated above.

Response 9

Since both plants are considered as a part of one source, the TSD will include emissions from both the refinery and the river dock terminal. The river dock terminal's emissions will be revised.

Since single HAP emissions are less than 10 tons per year and total HAP emissions are less than 25 tons per year, 40 CFR 63.420, Subpart R does not apply. The Federal Rule Applicability - Plant 2 and the Compliance Requirements sections will be revised to reflect this.

Upon further review, the OAQ has decided to make the following revisions to the permit (bolded language has been added, the language with a line through it has been deleted).

1. A.2 Source Definition is an enforceable condition; therefore, instructions were added to the first paragraph of Section A to specify that conditions A.1, A.3 and A.4 are not enforceable when A.2 is the source definition.

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions ~~A.1 and A.3 through A.4~~ **A.1, A.3 and A.4** is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

2. In order to avoid confusion for renewals as to what "original" date we are referring to the following change has been made:

B.2 Permit Term [326 IAC 2-7-5(2)] [326 IAC 2-1.1-9.5]

This permit is issued for a fixed term of five (5) years from the ~~original~~ **issuance** date of this **permit**, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date.

3. Since Item (c) of B.7 (Duty to Supplement and Provide Information) already addresses confidentiality, the last sentence of (c) was revised to remove the statement about confidential information, and was updated for clarity.

The duty to supplement an application is not an ongoing requirement after the permit is issued; therefore, (a) has been removed from B.7 (Duty to Supplement and Provide Information).

B.7 Duty to Supplement and Provide Information [326 IAC 2-7-4(b)] [326 IAC 2-7-5(6)(E)]
~~[326 IAC 2-7-6(6)]~~

~~(a) The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to:~~

~~_____ Indiana Department of Environmental Management
_____ Permits Branch, Office of Air Quality
_____ 100 North Senate Avenue, P. O. Box 6015
_____ Indianapolis, Indiana 46206-6015~~

~~_____ The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

(ba) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ, may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, copies of records required to be kept by this permit ~~or, for~~.

(eb) ~~For information claimed to be confidential, the Permittee may furnish such records directly to the U. S. EPA along with a claim of confidentiality. [326 IAC 2-7-5(6)(E)]~~

(c) ~~The furnished by the Permittee to IDEM, OAQ, the~~ Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

4. B.11 Preventive Maintenance Plan has been revised because it is not necessary to state twice that the PMP does not need to be certified. Since it is more appropriate to state in (c), it has been removed from (a).

B.11 (b) was revised to clarify that required record keeping needs to be implemented as well as the rest of the plan to ensure that failure to implement a PMP does not cause or contribute to an exceedance of any limitation on emissions or potential to emit. Also, (c) has been revised to clarify that OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance is the primary contributor to an exceedance of any limitation on emissions or potential to emit. The requirements to keep records of preventive maintenance in (d) has been moved to D Section. Because the general record keeping requirements (ie retained for 5 years) are in Section C, it is not necessary to include them in this condition or in the D condition. At some sources, an OMM Plan is required. Instead of having two separate plans, the OMM Plan may satisfy the PMP requirements, so (d) has been added to this condition.

B.11 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)]
[326 IAC 1-6-3]

(a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, including the following information on each facility:

- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
- (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
- (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

If, due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

The PMP ~~and the PMP~~ extension notification **does** not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The Permittee shall implement the PMPs, **including any required record keeping**, as necessary to ensure that failure to implement a PMP does not cause or contribute to ~~a violation~~ **an exceedance** of any limitation on emissions or potential to emit.
- (c) A copy of the PMPs shall be submitted to IDEM, OAQ, upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or ~~contributes to any violation~~ **is the primary contributor to an exceedance of any limitation on emissions or potential to emit**. The PMP does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

~~(d) — Records of preventive maintenance shall be retained for a period of at least five (5) years. These records shall be kept at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.~~

(d) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation, Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

5. The requirement to include emergencies in the Quarterly Deviation and Compliance Monitoring Report has been moved from B.15 to B.12. B.12(e) Emergency Provisions has been revised to correct the rule cite as follows:

B.12 Emergency Provisions [326 IAC 2-7-16]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation, ~~except as provided in 326 IAC 2-7-16.~~
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a ~~health-based or~~ technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
- (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
 - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality,
Compliance Section), or
Telephone Number: 317-233-5674 (ask for Compliance Section)
Facsimile Number: 317-233-5967

Telephone Number: 812-436-2570
Facsimile Number: 812-436-2572

- (5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-7-5(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and
- (C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) IDEM, OAQ, may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4-(c)(109) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAQ, by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.
- (g) ~~Operations may continue during an emergency only if the following conditions are met:~~
 - (+) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
 - (2) ~~If an emergency situation causes a deviation from a health-based limit, the~~ (h) **The Permittee may not continue to operate the affected emissions facilities unless:**
 - (A) ~~The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and~~
 - (B) ~~Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value.~~

~~Any operation shall continue no longer than the minimum time required to prevent the situations identified in (g)(2)(B) of this condition.~~

shall include all emergencies in the Quarterly Deviation and Compliance Monitoring Report.

6. Condition (Multiple Exceedances) has been deleted, because 326 IAC 2-7-5(1)(E) has been repealed, because it conflicted with 40 CFR 70.6(a)(6).

A new Condition B.14 (Prior Permit Conditions Superseded) was added to the permit to implement the intent of the new rule 326 IAC 2-1.1-9.5.

B.14 ~~Multiple Exceedances [326 IAC 2-7-5(1)(E)]~~ Prior Permits Superseded [326 IAC 2-1.1-9.5]

~~Any exceedance of a permit limitation or condition contained in this permit, which occurs contemporaneously with an exceedance of an associated surrogate or operating parameter established to detect or assure compliance with that limit or condition, both arising out of the same act or occurrence, shall constitute a single potential violation of this permit.~~

- (a) All terms and conditions of previous permits issued pursuant to permitting programs approved into the state implementation plan have been either**

(1) incorporated as originally stated,

(2) revised, or

(3) deleted

by this permit.

- (b) All previous registrations and permits are superseded by this permit.**

7. Item (c) has been removed from B.15 (Deviations from Permit Requirements and Conditions), then revised and incorporated in B.12 Emergency Provisions.

B.15 ~~Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]~~

- (a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provisions), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported to:**

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. A deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report.

The Quarterly Deviation and Compliance Monitoring Report does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.**

~~(c) — Emergencies shall be included in the Quarterly Deviation and Compliance Monitoring Report.~~

8. In order to be consistent with language in 326 IAC 2-7-12(b)(2), the “(D)(i)” of rule listed in (b) of B.19 (Permit Revisions Under Economic Incentives and Other Programs) has been removed.

B.19 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)]
[326 IAC 2-7-12 (b)(2)]

- (a) No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.
- (b) Notwithstanding 326 IAC 2-7-12(b)(1)(D)(i) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

9. In order to be consistent with 326 IAC 2-7-20(a)(4) the rule cite in B.20(a)(5) has been revised as follows:

B.20 Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e), without a prior permit revision, if each of the following conditions is met:

- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
- (2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;
- (3) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
- (4) The Permittee notifies the:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

- (5) The Permittee maintains records on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-7-20(b), (c), or (e) and makes such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ, in the notices specified in 326 IAC 2-7-20(b)(1), (c)(1), and (e)(2).

- (b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

- (1) A brief description of the change within the source;
- (2) The date on which the change will occur;
- (3) Any change in emissions; and
- (4) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) Emission Trades [326 IAC 2-7-20(c)]
The Permittee may trade increases and decreases in emissions in the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).
- (d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.

10. Condition B.21 (Source Modification Requirement) was revised as follows:

B.21 Source Modification Requirement [326 IAC 2-7-10.5]

A modification, construction, or reconstruction is governed by **the requirements of 326 IAC 2 and 326 IAC 2-7-10.5.**

11. 326 IAC 2-1.1-7 specifies that nonpayment may result in revocation of the permit. This is not specified in 326 IAC 2-7; therefore, this rule cite is being added to Condition B.24. Also, the section and phone number of who the Permittee can contact has been corrected in (c).

B.24 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ, within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, the applicable fee is due April 1 of each year.
- (b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.

- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or ~~317-233-0425~~ **317-233-4230** (ask for OAQ, ~~Technical Support and Modeling~~ **I/M & Billing** Section), to determine the appropriate permit fee.

12. Condition C.1 has been updated to be consistent with the rule revision of 326 IAC 6-3-2.

The following change has also been made to C.1 Particulate Emission Limitations for Processes with Process Weight Rates Less Than One Hundred (100) Pounds Per Hour:

- C.1 Particulate ~~Matter~~ Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) pounds per hour ~~[326 IAC 6-3-2(e)]~~ **[40 CFR 52 Subpart P][326 IAC 6-3-2]**

- (a) Pursuant to ~~326 IAC 6-3-2(e)~~ **40 CFR 52 Subpart P**, the allowable particulate matter emissions rate from any process not already regulated by 326 IAC 6-1 or any New Source Performance Standard, and which has a maximum process weight rate less than 100 pounds per hour shall not exceed 0.551 pounds per hour.
- (b) **Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour. This condition is not federally enforceable.**

13. Item (d) of Condition C.7 (Asbestos Abatement Projects) lists the statement about certification twice; one has been deleted, and (e) has been revised to correct the rule cite.

C.7 Asbestos Abatement Projects has been revised to clarify that the requirement to have an Indiana Accredited Asbestos inspector is not federally enforceable.

- C.7 Asbestos Abatement Projects ~~[326 IAC 14-10]~~ **[326 IAC 18]** ~~[40 CFR 61, Subpart M]~~

- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
- (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
- (2) If there is a change in the following:
- (A) Asbestos removal or demolition start date;
- (B) Removal or demolition contractor; or
- (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).

- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

Indiana Department of Environmental Management
Asbestos Section, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification by the "responsible official" as defined by 326 IAC 2-7-1(34). ~~The notifications do not require a certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

- (e) Procedures for Asbestos Emission Control
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-~~41~~, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Demolition and renovation**
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).
- (fg) Indiana Accredited Asbestos Inspector
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement ~~that the inspector be accredited, pursuant to the provisions of 40 CFR 61, Subpart M,~~ **is to use an Indiana Accredited Asbestos inspector is not** federally enforceable.

14. The following was added to Condition C.9 (Compliance Requirements) to state what OAQ will do when stack testing, monitoring, or reporting is required to assure compliance with applicable requirements:

C.9 Compliance Requirements [326 IAC 2-1.1-11]

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements **by issuing an order under 326 IAC 2-1.1-11**. Any monitoring or testing shall be performed in accordance with 326 IAC 3 or other methods approved by the commissioner or the U. S. EPA.

15. A new Item (c) was added to Condition C.13 (Pressure Gauge and Other Instrument Specifications) to address pH issue and the words "or pH level" were removed from Item (b).

C.13 Pressure Gauge and Other Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)]
[326 IAC 2-7-6(1)]

- (a) Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent ($\pm 2\%$) of full scale reading.
- (b) Whenever a condition in this permit requires the measurement of a temperature, ~~or flow rate, or pH level,~~ the instrument employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent ($\pm 2\%$) of full scale reading.
- (c) **The Preventive Maintenance Plan for the pH meter shall include calibration using known standards. The frequency of calibration shall be adjusted such that the typical error found at calibration is less than one pH point.**
- (ed) The Permittee may request the IDEM, OAQ approve the use of a pressure gauge or other instrument that does not meet the above specifications provided the Permittee can demonstrate an alternative pressure gauge or other instrument specification will adequately ensure compliance with permit conditions requiring the measurement of pressure drop or other parameters.

16. The title of Condition C.16 has been updated as follows:

Some sources are required to have an Operation, Maintenance and Monitoring (OMM) Plan or Start-up, Shutdown, and Malfunction (SSM) Plan. Instead of having an additional plan, it has been determined that having an OMM can satisfy the requirements for having a CRP. If a source is required to have an SSM Plan, a Parametric Monitoring Plan would also be required to satisfy the requirements to have a CRP. Additional language has been added for these options. Failure to take reasonable response steps shall be considered deviation of the permit; therefore, (b)(4) was revised. Language was added to (e) to clarify that the records that need to be kept are those instances when, in accordance with Section D, response steps are taken.

C.16 Compliance Response Plan - ~~Failure to Take Response Steps~~ **Preparation, Implementation, Records, and Reports** [326 IAC 2-7-5] [326 IAC 2-7-6]

- (a) The Permittee is required to prepare a Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. ***[If a Permittee is required to have an Operation, Maintenance and Monitoring (OMM) Plan (or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan) under 40 CFR 60/63, such plans shall be deemed to satisfy the requirements for a CRP for those compliance monitoring conditions.]*** A CRP shall be submitted to IDEM, OAQ upon request. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee, supplemented from time to time by the Permittee, maintained on site, and comprised of:
 - (1) Reasonable response steps that may be implemented in the event that a response step is needed pursuant to the requirements of Section D of this permit; and an expected timeframe for taking reasonable response steps.

- (2) If, at any time, the Permittee takes reasonable response steps that are not set forth in the Permittee's current Compliance Response Plan ***[or Operation, Maintenance and Monitoring (OMM) Plan (or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan)]*** and the Permittee documents such response in accordance with subsection (e) below, the Permittee shall amend its Compliance Response Plan ***[or Operation, Maintenance and Monitoring (OMM) Plan (or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan)]*** to include such response steps taken.

[The OMM Plan (or Parametric Monitoring and SSM Plan) shall be submitted within the time frames specified by the applicable 40 CFR 60/63 requirement.]

- (b) For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition as follows:
 - (1) Reasonable response steps shall be taken as set forth in the Permittee's current Compliance Response Plan ***[or Operation, Maintenance and Monitoring (OMM) Plan (or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan)]***; or
 - (2) If none of the reasonable response steps listed in the Compliance Response Plan ***[or Operation, Maintenance and Monitoring (OMM) Plan (or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan)]*** is applicable or responsive to the excursion, the Permittee shall devise and implement additional response steps as expeditiously as practical. Taking such additional response steps shall not be considered a deviation from this permit so long as the Permittee documents such response steps in accordance with this condition.
 - (3) If the Permittee determines that additional response steps would necessitate that the emissions unit or control device be shut down, the IDEM, OAQ shall be promptly notified of the expected date of the shut down, the status of the applicable compliance monitoring parameter with respect to normal, and the results of the actions taken up to the time of notification.
 - (4) Failure to take reasonable response steps shall ~~constitute a violation of~~ **be considered a deviation from** the permit.
- (c) The Permittee is not required to take any further response steps for any of the following reasons:
 - (1) A false reading occurs due to the malfunction of the monitoring equipment and prompt action was taken to correct the monitoring equipment.
 - (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for an ~~administrative amendment~~ **minor permit modification** to the permit, and such request has not been denied.
 - (3) An automatic measurement was taken when the process was not operating.

- (4) The process has already returned or is returning to operating within “normal” parameters and no response steps are required.
 - (d) When implementing reasonable steps in response to a compliance monitoring condition, if the Permittee determines that an exceedance of an emission limitation has occurred, the Permittee shall report such deviations pursuant to Section B-Deviations from Permit Requirements and Conditions.
 - (e) The Permittee shall record all instances when, **in accordance with Section D**, response steps are taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.
 - (f) Except as otherwise provided by a rule or provided specifically in Section D, all monitoring as required in Section D shall be performed when the emission unit is operating, except for time necessary to perform quality assurance and maintenance activities.
- 17. The first box on the Emergency Occurrence Report form was revised to include the word “working” in order to be consistent with 326 IAC 2-7-16(b)(5) and the Emergency Provision.
- 18. The first sentence of the Quarterly Deviation and Compliance Monitoring Report is being removed, because it poses a conflict with the provisions that require an annual certification. We were not intending to turn this quarterly report into a compliance certification.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE BRANCH
100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
Phone: 317-233-5674
Fax: 317-233-5967**

**PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT**

Source Name: Countrymark Cooperative, ~~Inc.~~ **LLP**
Source Address: South Mann and West Ohio Street, Mt. Vernon, IN 47620
Mailing Address: 1200 Refinery Road, Mt. Vernon, IN 47620
Part 70 Permit No.: T129-7742-00037

This form consists of 2 pages

Page 1 of 2

- | | |
|---|---|
| 9 | This is an emergency as defined in 326 IAC 2-7-1(12) |
| C | The Permittee must notify the Office of Air Quality (OAQ), within four (4) business hours (1-800-451-6027 or 317-233-5674, ask for Compliance Section); and |
| C | The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-5967), and follow the other requirements of 326 IAC 2-7-16. |

If any of the following are not applicable, mark N/A

Facility/Equipment/Operation:
Control Equipment:
Permit Condition or Operation Limitation in Permit:
Description of the Emergency:
Describe the cause of the Emergency:

If any of the following are not applicable, mark N/A

Page 2 of 2

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO ₂ , VOC, NO _x , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

A certification is not required for this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE DATA SECTION**

**PART 70 OPERATING PERMIT
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: Countrymark Cooperative, ~~Inc.~~ **LLP**
Source Address: South Mann and West Ohio Street, Mt. Vernon, IN 47620
Mailing Address: 1200 Refinery Road, Mt. Vernon, IN 47620
Part 70 Permit No.: T129-7742-00037

Months: _____ to _____ Year: _____

Page 1 of 2

~~This report is an affirmation that the source has met all the requirements stated in this permit. This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. Deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".~~

9 NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.

9 THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD

Permit Requirement (specify permit condition #)

Date of Deviation:

Duration of Deviation:

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

Permit Requirement (specify permit condition #)

Date of Deviation:

Duration of Deviation:

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Permit Requirement (specify permit condition #)	
Date of Deviation:	Duration of Deviation:
Number of Deviations:	
Probable Cause of Deviation:	
Response Steps Taken:	

Form Completed By: _____

Title/Position: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

19. In order to clarify that an amendment or modification will not be required for the addition, operation or removal of a nonroad engine, an explanation (instructions) and (d) has been added to B.18 Permit Amendment or Modification.

B.18 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]

- (a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.

- (b) Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Quality
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

Any such application shall be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

- (d) **No permit amendment or modification is required for the addition, operation or removal of a nonroad engine, as defined in 40 CFR 89.2.**

20. For clarity, additional rule cites have been added to B.22 Inspection and Entry.

B.22 Inspection and Entry [326 IAC 2-7-6] [IC 13-14-2-2] [IC 13-30-3-1]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) **As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have** ~~Have~~ access to and copy any records that must be kept under the conditions of this permit;
- (c) **As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect** ~~inspect~~ any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) **As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample** ~~Sample~~ or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) **As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize** ~~Utilize~~ any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

21. C.15 Risk Management Plan has been revised so that it is more straightforward, and the condition requires the source to comply with the applicable requirements of 40 CFR 68 if a regulated substance is present at a source in more than a threshold quantity.

C.15 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68-245]

If a regulated substance, ~~subject to as defined in 40 CFR 68~~, is present at a source in more than a threshold quantity, ~~40 CFR 68 is an applicable requirement and the Permittee shall submit~~; **the source must comply with the applicable requirements of 40 CFR 68.**

~~(a) A compliance schedule for meeting the requirements of 40 CFR 68; or~~

~~(b) As a part of the annual compliance certification submitted under 326 IAC 2-7-6(5), a certification statement that the source is in compliance with all the requirements of 40 CFR 68, including the registration and submission of a Risk Management Plan (RMP).~~

~~All documents submitted pursuant to this condition shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

22. In order to clarify which documents need to be certified by the responsible official, the following update has been made:

C.17 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]
[326 IAC 2-7-6]

(a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.

(b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.

(c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The **response action** documents submitted pursuant to this condition do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

23. C.18 Emission Statement has been updated to include the specific rule cite that defines the regulated pollutants being referred to in this condition.

C.18 Emission Statement [326 IAC 2-7-5(3)(C)(iii)] [326 IAC 2-7-5(7)] [326 IAC 2-7-19(c)]
[326 IAC 2-6]

(a) The Permittee shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6, that must be received by July 1 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The annual emission statement shall meet the following requirements:

- (1) Indicate estimated actual emissions of criteria pollutants from the source, in compliance with 326 IAC 2-6 (Emission Reporting);

- (2) Indicate estimated actual emissions of ~~other~~ regulated pollutants (as defined by 326 IAC 2-7-1(32) ("**Regulated pollutant which is used only for purposes of Section 19 of this rule**") from the source, for purposes of Part 70 fee assessment.
- (b) The annual emission statement covers the twelve (12) consecutive month time period starting January 1 and ending December 31. The annual emission statement must be submitted to:
- Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Quality
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015
- The emission statement does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) The annual emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, on or before the date it is due.
24. It is acceptable for records to be electronically accessible instead of being physically present at a source; therefore, the following update has been made:
- C.19 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]
- (a) Records of all required **monitoring** data, reports and support information **required by this permit** shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be ~~kept~~ **physically present or electronically accessible** at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- (b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.
25. The table of contents in the Title V permit has been updated.

Indiana Department of Environmental Management Office of Air Quality

Technical Support Document (TSD) for a Part 70 Operating Permit

Source Background and Description

Source Name: Countrymark Cooperative, Inc.
Source Location: South Mann and West Ohio Street, Mt. Vernon, IN 47620
County: Posey
SIC Code: 2911
Operation Permit No.: T129-7742-00037 - Plant 2
T129-7882-00003 - Plant 1
Permit Reviewer: NH/EVP

The Office of Air Quality (OAQ) has reviewed a Part 70 permit application from Countrymark Cooperative, Inc. relating to the operation of a marine vessel loading and unloading river dock terminal.

Source Definition

This marine vessel loading and unloading river dock terminal consists of two (2) plants:

- (a) Plant 1, the refinery, is located at 1200 Refinery Road, Mount Vernon, IN 47620; and
- (b) Plant 2, the river dock terminal, is located at South Main St. and West Ohio St., Mount Vernon, IN 47620.

Since the two (2) plants are located on contiguous properties, have the same SIC codes, transfer raw crude oil and feedstock between the plants, and are owned by one (1) company, they will be considered one (1) source.

Separate Part 70 permits (129-7742-00037 (Plant 2) and T129-7882-00003 (Plant 1)) will be issued to Countrymark Cooperative, Inc. in Mount Vernon, Indiana, solely for administrative purposes.

Permitted Emission Units and Pollution Control Equipment - Plant 2

The source consists of the following permitted emission units and pollution control devices:

- (a) One (1) fixed roof cone tank, identified as Tank No. 23, constructed in 1942, with a capacity of 9,828 gallons;
- (b) One (1) fixed roof cone tank, identified as Tank No. 27, constructed in 1961, with a capacity of 42,000 gallons;
- (c) One (1) fixed roof cone tank, identified as Tank No. 28, constructed in 1961, with a capacity of 42,000 gallons;

- (d) One (1) fixed roof cone tank, identified as Tank No. 31, constructed in 1942, with a capacity of 8,274 gallons;
- (e) One (1) fixed roof cone tank, identified as Tank No. 32, constructed in 1942, with a capacity of 9,744 gallons;
- (f) One (1) tank, identified as Skid Tank, constructed in 1960, with a capacity of 576 gallons;
- (g) One (1) tank, identified as Dock Tank, constructed in 1950, with a capacity of 564 gallons;
- (h) One (1) upstream barge containment, constructed in 1942, with a capacity of 12,209 gallons;
- (i) One (1) downstream barge containment, constructed in 1942, with a capacity of 12,209 gallons;
- (j) One (1) barge loading and unloading facility, constructed in 1952;
- (k) Pipeline Valves: Gas Stream;
- (l) Pipeline Valves: Light Liquid;
- (m) Pipeline Valves: Heavy Liquid;
- (n) Open Ended Valves;
- (o) Flanges;
- (p) Pump Seals: Light Liquid;
- (q) Pump Seals: Heavy Liquid;
- (r) Drains; and
- (s) Vessel RV's.

Unpermitted Emission Units and Pollution Control Equipment

There are no unpermitted facilities operating at this source during this review process.

New Emission Units and Pollution Control Equipment

There are no new emission units during this review process.

Insignificant Activities

This source does not currently have any insignificant activities, as defined in 326 IAC 2-7-1(21).

Existing Approvals

The source has been operating under previous approvals including, but not limited to, the following:

- (a) Operation Permit 65-03-87-0133, issued on July 27, 1983;
- (b) Operation Permit 65-03-87-0135, issued on July 27, 1983; and
- (c) Operation Permit 65-03-87-0138, issued on July 27, 1983.

All conditions from previous approvals were incorporated into this Part 70 permit.

Enforcement Issue

There are no enforcement actions pending.

Recommendation

The staff recommends to the Commissioner that the Part 70 permit be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant.

An administratively complete Part 70 permit application for the purposes of this review was received on December 16, 1996. Additional information was received on February 15, 2001.

Emission Calculations

The calculations submitted by the applicant have been verified and found to be accurate and correct. These calculations are provided in Appendix A of this document (Appendix A, page 1 through 2).

Potential To Emit of Entire Source (Plant 1 + Plant 2)

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as "the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U. S. EPA."

This table reflects the PTE before controls. Control equipment is not considered federally enforceable until it has been required in a federally enforceable permit.

Pollutant	Potential To Emit (tons/year)
PM	greater than 100
PM-10	greater than 100
SO ₂	greater than 100
VOC	greater than 100
CO	greater than 100
NO _x	greater than 100

Note: For the purpose of determining Title V applicability for particulates, PM-10, not PM, is the regulated pollutant in consideration.

HAP's	Potential To Emit (tons/year)
Benzene	greater than 10
Toluene	greater than 10
Ethyl-Benzene	greater than 10
Xylenes	greater than 10
Cumene	less than 10
Hexane	greater than 10
Isooctane	greater than 10
MTBE	less than 10
Dichlorobenzene	less than 10
Formaldehyde	less than 10
Nickel	less than 10
Chromium	less than 10
Cadmium	less than 10
Lead	less than 10
Manganese	less than 10
TOTAL	greater than 25

- (a) The potential to emit (as defined in 326 IAC 2-1.1-1(16)) of PM₁₀, SO₂, VOC, CO and NO_x are equal to or greater than 100 tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7.
- (b) The potential to emit (as defined in 326 IAC 2-1.1-1(16)) of any single HAP is equal to or greater than ten (10) tons per year and the potential to emit (as defined in 326 IAC 2-7-1(29)) of a combination HAPs is greater than or equal to twenty-five (25) tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7.
- (c) Fugitive Emissions
Since this type of operation is one of the twenty-eight (28) listed source categories under 326 IAC 2-2 and since there are applicable New Source Performance Standards that were in effect on August 7, 1980, the fugitive emissions are counted toward determination of PSD and Emission Offset applicability.

Actual Emissions - Plant 2

The following table shows the actual emissions from the source. This information reflects the 2000 OAQ emission data.

Pollutant	Actual Emissions (tons/year)
PM	not reported
PM-10	not reported
SO ₂	not reported
VOC	166
CO	not reported
NO _x	not reported
HAP (specify)	not reported

Potential to Emit After Issuance - Plant 2

The table below summarizes the potential to emit, reflecting all limits, of the significant emission units after controls. The control equipment is considered federally enforceable only after issuance of this Part 70 operating permit.

	Potential to Emit (tons/year)							
Process/facility	PM	PM-10	SO ₂	VOC	CO	NO _x	Single HAP	HAPs
Tanks 23, 27, 28, 31, 32, Skid Tank, Dock Tank, Upstream Barge Containment, Downstream Barge Containment	--	--	--	10,923.12	--	--	174.77	573.46
Fugitive Emissions*	--	--	--	5,987.84	--	--	--	--
Total Emissions	--	--	--	16,910.96	--	--	174.77	573.46

* Fugitive Emissions consist of barge loading and unloading, pipeline valves: gas stream, pipeline valves: light liquid, pipeline valves: heavy liquid, open ended valves, flanges, pump seals: light liquid, pump seals: heavy liquid, drains and vessel rv's. The fugitive emissions were provided by the source.

Potential to Emit After Issuance - Plant 1

The table below summarizes the potential to emit, reflecting all limits, of the significant emission units after controls. The control equipment is considered federally enforceable only after issuance of this Part 70 operating permit.

	Potential to Emit (tons/year)						
Process/facility	PM	PM-10	SO ₂	VOC	CO	NO _x	HAPs
Storage Tanks	0.00	0.00	0.00	4,630.08	0.00	0.00	1,699.7 (total) 742.7 (single)
Loading Rack / Flare	0.00	0.00	0.00	26.43	0.00	0.00	1.24 (total) 0.42 (single)
Process Fugitive Emissions	0.00	0.00	0.00	132.96	0.00	0.00	6.40 (total) 2.22 (single)
Combustion Units	227.87	118.69	8,710.57	366.47	10,359.57	851.53	11.92 (total) 11.37 (single)
FCCU Regenerator (Catalyst PM emissions)	0.17	0.17	0.00	0.00	0.00	0.00	0.00
Oil vaporization from oil/water separator basins and pits	0.00	0.00	0.00	306.53	0.00	0.00	14.15 (total) 4.90 (single)
Fugitive Emissions (unpaved roads)	75.32	19.58	0.00	0.00	0.00	0.00	0.00
Total Emissions	303.36	138.44	8,710.57	5,462.47	10,359.57	851.53	1,733.4 (total) 761.61 (single)

Potential to Emit After Issuance of Entire Source - Plant 1 + Plant 2

The table below summarizes the potential to emit, reflecting all limits, of the significant emission units after controls. The control equipment is considered federally enforceable only after issuance of this Part 70 operating permit.

	Potential to Emit (tons/year)						
Process/facility	PM	PM-10	SO ₂	VOC	CO	NO _x	HAPs
Plant 1 Total	303.36	138.44	8,710.57	5,462.47	10,359.57	851.53	1,733.4 (total) 761.61 (single)
Plant 2 Total	--	--	--	16,910.96	--	--	573.46 (total) 174.77 (single)
Total Emissions	303.36	138.44	8,710.57	22,373.43	10,359.57	851.53	2,306.86 (total) 936.38 (single)

County Attainment Status

The source is located in Posey County.

Pollutant	Status
PM-10	attainment
SO ₂	attainment
NO ₂	attainment
Ozone	attainment
CO	attainment
Lead	attainment

- (a) Volatile organic compounds (VOC) are precursors for the formation of ozone. Therefore, VOC emissions are considered when evaluating the rule applicability relating to the ozone standards. Posey County has been designated as attainment or unclassifiable for ozone. Therefore, VOC emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2 and 40 CFR 52.21.
- (b) Posey County has been classified as attainment or unclassifiable for all other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2 and 40 CFR 52.21.
- (c) Fugitive Emissions
Since this type of operation is one of the twenty-eight (28) listed source categories under 326 IAC 2-2 and since there are applicable New Source Performance Standards that were in effect on August 7, 1980, the fugitive emissions are counted toward determination of PSD and Emission Offset applicability.

Part 70 Permit Conditions

This source is subject to the requirements of 326 IAC 2-7, pursuant to which the source has to meet the following:

- (a) Emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of issuance of Part 70 permits.
- (b) Monitoring and related record keeping requirements which assume that all reasonable information is provided to evaluate continuous compliance with the applicable requirements.

Federal Rule Applicability - Plant 2

- (a) Tanks Nos. 23, 27, 28, 31, 32, Skid Tank, Dock Tank, Upstream Barge Containment and Downstream Barge Containment are not subject to the New Source Performance Standard, 326 IAC 12, 40 CFR Part 60.110, Subpart K (Volatile Organic Liquid Storage Vessels) because the tanks were constructed or modified prior to June 11, 1973.
- (b) The one (1) barge loading and unloading facility is not subject to the New Source Performance Standard, 326 IAC 12, (40 CFR Part 60.500, Subpart XX) "Standards of Performance for Bulk Gasoline Terminals" because the loading rack was constructed or modified prior to December 17, 1980.
- (c) This facility is subject to 40 CFR 63, Subpart R. Pursuant to 40 CFR 63.422, the following shall apply to the barge loading and unloading facility:
 - (1) The Permittee shall comply with the requirements in 40 CFR 60.502 except for paragraphs (b), (c), and (j) of that section. For purposes of this section, the term "affected facility" used in 40 CFR 60.502 means the loading racks that load gasoline cargo tanks at the bulk gasoline terminals subject to the provisions of 40 CFR 63.420, Subpart R.
 - (2) Emissions to the atmosphere from the vapor collection and processing systems due to the loading of gasoline cargo tanks shall not exceed 10 milligrams of total organic compounds per liter of gasoline loaded.
 - (3) The Permittee shall comply with 40 CFR 60.502(e) as follows:
 - (A) For the purposes of this section, the term "tank truck" as used in 40 CFR 60.502(e) means "cargo tank."
 - (B) 40 CFR 60.502(e)(5) is changed to read: The Permittee shall take steps assuring that the nonvapor-tight gasoline cargo tank will not be reloaded at the facility until vapor tightness documentation for that gasoline cargo tank is obtained which documents that:
 - (i) The gasoline cargo tank meets the applicable test requirements in 40 CFR 63.425(e);
 - (ii) For each gasoline cargo tank failing the test in 40 CFR 63.425 (f) or (g) at the facility, the cargo tank either:
 - (aa) Before repair work is performed on the cargo tank, meets the test requirements in 40 CFR 63.425 (g) or (h), or
 - (bb) After repair work is performed on the cargo tank before or during the tests in 40 CFR 63.425 (g) or (h), subsequently passes the annual certification test described in 40 CFR 63.425(e).
 - (4) The Permittee shall meet the requirements in all paragraphs of this section as expeditiously as practicable, but no later than December 15, 1997, at existing facilities.

Pursuant to 40 CFR 63.423, the following shall apply to storage vessels:

- (1) The Permittee shall equip each gasoline storage vessel with a design capacity greater than or equal to 75 m³ according to the requirements in 40 CFR 60.112b(a) (1) through (4), except for the requirements in 40 CFR 60.112b(a)(1) (iv) through (ix) and 60.112b(a)(2)(ii).
- (2) The Permittee shall equip each gasoline external floating roof storage vessel with a design capacity greater than or equal to 75 m³ according to the requirements in 40 CFR 60.112b(a)(2)(ii) if such storage vessel does not currently meet the requirements in 40 CFR 63.423(a).
- (3) Each gasoline storage vessel at an existing facility shall be in compliance with the requirements in paragraphs (1) and (2) above as expeditiously as practicable, but no later than December 15, 1997.
- (4) Alternative means of emission limitation
The provisions of 40 CFR 60.114b apply for determining the acceptability of alternative means of emission limitation for storage vessels under 40 CFR 63.423.

Pursuant to 40 CFR 63.424, the following shall apply to equipment leaks:

- (1) The Permittee shall perform a monthly leak inspection of all equipment in gasoline service. For this inspection, detection methods incorporating sight, sound, and smell are acceptable. Each piece of equipment shall be inspected during the loading of a gasoline cargo tank.
- (2) A log book shall be used and shall be signed by the Permittee at the completion of each inspection. A section of the log shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the facility.
- (3) Each detection of a liquid or vapor leak shall be recorded in the log book. When a leak is detected, an initial attempt at repair shall be made as soon as practicable, but no later than 5 calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak, except as provided in paragraph (4) of this section.
- (4) Delay of repair of leaking equipment will be allowed upon a demonstration to the IDEM, OAQ, and the USEPA Administrator that repair within 15 days is not feasible. The Permittee shall provide the reason(s) a delay is needed and the date by which each repair is expected to be completed.
- (5) Initial compliance with the requirements in paragraphs (1) through (4) above shall be achieved by existing sources as expeditiously as practicable, but no later than December 15, 1997.
- (6) As an alternative to compliance with the provisions in paragraphs (1) through (4) above, the Permittee may implement an instrument leak monitoring program that has been demonstrated to the IDEM, OAQ, and the USEPA Administrator as at least equivalent.
- (7) The Permittee shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:
 - (A) Minimize gasoline spills;

- (B) Clean up spills as expeditiously as practicable;
 - (C) Cover all open gasoline containers with a gasketed seal when not in use;
 - (D) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.
- (d) This source is not subject to the requirements of the National Emission Standards for Hazardous Air Pollutants 326 IAC 20.17, (40 CFR 63.560, Subpart Y) because it does not have an annual throughput greater than or equal to ten (10) million barrels of gasoline or two hundred (200) million barrels of crude oil. Therefore the requirements of Subpart Y do not apply to the source.

State Rule Applicability - Entire Source

326 IAC 2-2 (Prevention of Significant Deterioration)

This source, which is one of the 28 listed source categories, is a major PSD source.

Plant 2

However, the plant 2 is not subject to the requirements of this rule based on the following information:

This rule applies to sources commencing construction after August 7, 1977. All the units at plant 2 were constructed prior to the applicability date. Thus, 326 IAC 2-2 (Prevention of Significant Deterioration) does not apply.

Plant 1

This source is subject to the requirements of 326 IAC 2-2 (PSD), 40 CFR 52.21, and 40 CFR 52.124, because it is one of the 28 listed source categories under 326 IAC 2-2, potential sulfur dioxide (SO₂) volatile organic compound (VOC), carbon monoxide (CO), and nitrogen oxide (NO_x) emissions after control are greater than 100 tons per year. This rule applies to sources commencing construction after August 7, 1977. This source was constructed prior to the applicability date. Each of the following emission units (CCR platformer heater, storage tanks Nos. 12, 24, 47, 53, 54, 55, 56, 58, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168 and 169), constructed after August 7, 1977, has potential to emit VOC of less than 40 tons per year.

326 IAC 2-4.1-1 (New Source Toxics Control)

This source is not subject to 326 IAC 2-4.1-1 (New Source Toxics Control) because the emission units at plant 2 were constructed prior to July 27, 1997. Therefore, 326 IAC 2-4.1-1 does not apply.

326 IAC 2-6 (Emission Reporting)

This source is subject to 326 IAC 2-6 (Emission Reporting), because it has the potential to emit more than one hundred (100) tons per year of several criteria pollutants. Pursuant to this rule, the owner/operator of the source must annually submit an emission statement for the source. The annual statement must be received by July 1 of each year and contain the minimum requirement as specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8)(Emission Statement Operating Year).

326 IAC 5-1 (Opacity Limitations)

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this permit:

- (a) Opacity shall not exceed an average of forty percent (40%) any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

State Rule Applicability - Plant 2

326 IAC 8-1-6 (New Facilities; General Reduction Requirements)

This marine vessel loading and unloading river dock terminal is not subject to the provision of 326 IAC 8-1-6. This rule applies to facilities located in any county constructed after January 1, 1980, which are not otherwise regulated by any other provisions of 326 IAC 8, and have potential emissions of 25 tons/yr or greater. This marine vessel loading and unloading river dock terminal was constructed prior to January 1, 1980, and therefore, this rule does not apply.

326 IAC 8-4-3 (Petroleum Liquid Storage Facilities)

None of the units at plant 2 are subject to this rule because they were constructed before January 1, 1980.

326 IAC 8-4-4 (Bulk Gasoline Terminals)

The barge loading and unloading facility, is not subject to the requirements of 326 IAC 8-4-4 (Bulk Gasoline Terminals), because it was constructed before the applicability date of January 1, 1980.

326 IAC 8-4-5 (Bulk Gasoline Plants)

Plant 2 is not subject to the requirements of 326 IAC 8-4-5 (Bulk Gasoline Plants), because plant 2 is not located in any of the listed counties.

326 IAC 8-4-6 (Gasoline Dispensing Facilities)

The one (1) barge loading and unloading facility is not subject to the requirements of 326 IAC 8-4-6 (Gasoline Dispensing Facilities), because it does not dispense gasoline into motor vehicle fuel tanks or portable containers, is not a gasoline dispensing facility, and is not located in any of the listed counties and it was constructed prior to July 1, 1989.

326 IAC 8-4-7 (Gasoline Transports)

The one (1) barge loading and unloading facility is not subject to the requirements of 326 IAC 8-4-7 (Gasoline Transports), because it was constructed before the applicability date of January 1, 1980.

326 IAC 8-4-9 (Leaks from Transports and Vapor Collection Systems; Records)

The one (1) barge loading and unloading facility is not subject to this rule because it is not subject to the requirements of 326 IAC 8-4-4 through 326 IAC 8-4-6 and also not subject to the requirements of 326 IAC 8-4-9 (Leaks from Transports and Vapor Collection Systems, Records) and it was constructed prior to January 1, 1980.

326 IAC 8-6 (Organic Solvent Emission Limitations)

Plant 2 is not subject to this rule because it was not constructed after October 7, 1974, and prior to January, 1980 and it does not have potential VOC emissions of greater than 100 tons per year.

326 IAC 8-7 (Specific VOC Reduction Requirements for Lake, Porter, Clark and Floyd Counties)

Plant 2 is not subject to the requirements of 326 IAC 8-7 (Specific VOC Reduction Requirements for Lake, Porter, Clark and Floyd Counties), because plant 2 is not located in one of the listed counties.

326 IAC 8-9 (Volatile Organic Liquid Storage Vessels)

Plant 2 storage tanks are not subject to the requirements of 326 IAC 8-9 (Volatile Organic Liquid Storage Vessels) because plant 2 is not located in one of the listed counties.

Compliance Requirements

Permits issued under 326 IAC 2-7 are required to ensure that sources can demonstrate compliance with applicable state and federal rules on a more or less continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill the requirement for a more or less continuous demonstration. When this occurs IDEM, OAQ, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-7-5. As a result, compliance requirements are divided into two sections: Compliance Determination Requirements and Compliance Monitoring Requirements.

Compliance Determination Requirements in Section D of the permit are those conditions that are found more or less directly within state and federal rules and the violation of which serves as grounds for enforcement action. If these conditions are not sufficient to demonstrate continuous compliance, they will be supplemented with Compliance Monitoring Requirements, also Section D of the permit. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source's failure to take the appropriate corrective actions within a specific time period.

Pursuant to 40 CFR 63.427, the tank truck loading rack has applicable compliance monitoring conditions as specified below:

- (a) The Permittee install, calibrate, certify, operate, and maintain, according to the manufacturer's specifications, a continuous monitoring system (CMS) as specified in paragraph (a)(1), (a)(2), (a)(3), or (a)(4) of this section, except as allowed in paragraph (a)(5) of this section.
 - (1) Where a carbon adsorption system is used, a continuous emission monitoring system (CEMS) capable of measuring organic compound concentration shall be installed in the exhaust air stream.
 - (2) Where a refrigeration condenser system is used, a continuous parameter monitoring system (CPMS) capable of measuring temperature shall be installed immediately downstream from the outlet to the condenser section. Alternatively, a CEMS capable of measuring organic compound concentration may be installed in the exhaust air stream.
 - (3) Where a thermal oxidation system is used, a CPMS capable of measuring temperature shall be installed in the firebox or in the ductwork immediately downstream from the firebox in a position before any substantial heat exchange occurs.
 - (4) Where a flare is used, a heat-sensing device, such as an ultraviolet beam sensor or a thermocouple, shall be installed in proximity to the pilot light to indicate the presence of a flame.
 - (5) Monitoring an alternative operating parameter or a parameter of a vapor processing system other than those listed in this paragraph will be allowed upon demonstrating to the IDEM, OAM, and the USEPA Administrator's satisfaction that the alternative parameter demonstrates continuous compliance with the emission standard in 40 CFR 63.422(b) or 40 CFR 60.112b(a)(3)(ii) .

- (b) The Permittee shall operate the vapor processing system in a manner not to exceed the operating parameter value for the parameter described in paragraphs (a)(1) and (a)(2) of this section, or to go below the operating parameter value for the parameter described in paragraph (a)(3) of this section, and established using the procedures in 40 CFR 63.425(b). In cases where an alternative parameter pursuant to paragraph (a)(5) of this section is approved, the Permittee shall operate the vapor processing system in a manner not to exceed or not to go below, as appropriate, the alternative operating parameter value. Operation of the vapor processing system in a manner exceeding or going below the operating parameter value, as specified above, shall constitute a violation of the emission standard in 40 CFR 63.422(b).
- (c) The Permittee shall comply with the monitoring requirements in 40 CFR 60.116b, except records shall be kept for at least 5 years. If a closed vent system and control device are used, as specified in 40 CFR 60.112b(a)(3), to comply with the requirements in 40 CFR 63.423, the Permittee shall also comply with the requirements in paragraph (a) of this section.

Conclusion

The operation of this marine vessel loading and unloading river dock terminal shall be subject to the conditions of the attached proposed **Part 70 Permit No. T129-7742-00037**.

Appendix A: Emission Calculations
Tank VOC Emissions - Maximum PTE

Company Name: Countrymark Cooperative

Address City IN ZIP: South Mann and Ohio Street, Mt. Vernon, Indiana 47620-9225

Title V No.: T129-7742-00037

Reviewer: NH/EVP

Tank Number	Product Stored	Losses (Tons per Year)							Total VOC Tons/yr
		Standing	Working	Withdrawal	Rim Seal	Deck Fitting	Deck Seam	Roof Fitting	
Downstream Barge Containment	Gasoline (RVP 11)	0.00	179.50	0.00	0.00	0.00	0.00	0.00	179.50
Tank 23	Gasoline (RVP 11)	0.33	2088.68	0.00	0.00	0.00	0.00	0.00	2089.01
Dock Tank	Gasoline (RVP 11)	0.06	37.35	0.00	0.00	0.00	0.00	0.00	37.41
Skid Tank	Gasoline (RVP 11)	0.06	37.35	0.00	0.00	0.00	0.00	0.00	37.42
Tank 27	Gasoline (RVP 11)	1.41	2092.92	0.00	0.00	0.00	0.00	0.00	2094.34
Tank 28	Gasoline (RVP 11)	1.41	2092.92	0.00	0.00	0.00	0.00	0.00	2094.34
Tank 31	Gasoline (RVP 11)	0.30	2088.63	0.00	0.00	0.00	0.00	0.00	2088.92
Tank 32	Gasoline (RVP 11)	0.32	2088.68	0.00	0.00	0.00	0.00	0.00	2089.00
Stripping Tank	Gasoline (RVP 11)	0.05	33.62	0.00	0.00	0.00	0.00	0.00	33.68
Upstream Barge Containment	Gasoline (RVP 11)	0.00	179.50	0.00	0.00	0.00	0.00	0.00	179.50
Total VOC		3.95	10919.17	0.00	0.00	0.00	0.00	0.00	10923.12

Note: All storage tank emissions estimated using USEPA's Tanks 4.0 software program and are based on the estimated maximum annual throughput for each tank.

Tank Number	Product Stored	Losses (Pounds per Year)							Total VOC Tons/yr
		Standing	Working	Withdrawal	Rim Seal	Deck Fitting	Deck Seam	Roof Fitting	
Downstream Barge Containment	Gasoline (RVP 11)	0.00	359006.00	0.00	0.00	0.00	0.00	0.00	179.50
Tank 23	Gasoline (RVP 11)	669.75	4177360.00	0.00	0.00	0.00	0.00	0.00	2089.01
Dock Tank	Gasoline (RVP 11)	119.76	74699.79	0.00	0.00	0.00	0.00	0.00	37.41
Skid Tank	Gasoline (RVP 11)	128.15	74702.86	0.00	0.00	0.00	0.00	0.00	37.42
Tank 27	Gasoline (RVP 11)	2824.39	4185849.00	0.00	0.00	0.00	0.00	0.00	2094.34
Tank 28	Gasoline (RVP 11)	2824.39	4185849.00	0.00	0.00	0.00	0.00	0.00	2094.34
Tank 31	Gasoline (RVP 11)	595.24	4177252.00	0.00	0.00	0.00	0.00	0.00	2088.92
Tank 32	Gasoline (RVP 11)	640.75	4177360.00	0.00	0.00	0.00	0.00	0.00	2089.00
Stripping Tank	Gasoline (RVP 11)	107.09	67247.25	0.00	0.00	0.00	0.00	0.00	33.68
Upstream Barge Containment	Gasoline (RVP 11)	0.00	359006.00	0.00	0.00	0.00	0.00	0.00	179.50
Total VOC		7909.52	21838331.90	0.00	0.00	0.00	0.00	0.00	10923.12

Note: All storage tank emissions estimated using USEPA's Tanks 4.0 software program and are based on the estimated maximum annual throughput for each tank.

Appendix A: Emission Calculations
Tank HAP Emissions - Maximum PTE

Company Name: Countrymark Cooperative
Address City IN Zip: South Mann and Ohio Street, Mt. Vernon, Indiana 47620-9225
Title V No.: T129-7742-00037
Reviewer: NH/EVP

Standing Losses

Tank Number	Product Stored	VOC Emissions Tons/yr	Vapor Weight Percent								Total
			Benzene	Toluene	Ethyl-Benzene	Xylenes	Cumene	Hexane	Isooctane	MTBE	
	Gasoline	N/A	0.90%	1.30%	0.10%	0.50%	0.00%	1.60%	0.80%	0.05%	
HAP Emissions (tons/yr)											
Downstream Barge Containment	Gasoline (RVP 11)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Tank 23	Gasoline (RVP 11)	0.33	0.00	0.00	0.00	0.00	0.00	0.01	0.00	0.00	0.02
Dock Tank	Gasoline (RVP 11)	0.06	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Skid Tank	Gasoline (RVP 11)	0.06	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Tank 27	Gasoline (RVP 11)	1.41	0.01	0.02	0.00	0.01	0.00	0.02	0.01	0.00	0.07
Tank 28	Gasoline (RVP 11)	1.41	0.01	0.02	0.00	0.01	0.00	0.02	0.01	0.00	0.07
Tank 31	Gasoline (RVP 11)	0.30	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.02
Tank 32	Gasoline (RVP 11)	0.32	0.00	0.00	0.00	0.00	0.00	0.01	0.00	0.00	0.02
Stripping Tank	Gasoline (RVP 11)	0.05	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Upstream Barge Containment	Gasoline (RVP 11)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total		3.95	0.04	0.05	0.00	0.02	0.00	0.06	0.03	0.00	0.21

Working/Withdrawl Losses

Tank Number	Product Stored	VOC Emissions Tons/yr	HAP Emissions (tons/yr)								Total
			Benzene	Toluene	Ethyl-Benzene	Xylenes	Cumene	Hexane	Isooctane	MTBE	
Downstream Barge Containment	Gasoline (RVP 11)	179.50	1.62	2.33	0.18	0.90	0.00	2.87	1.44	0.09	9.42
Tank 23	Gasoline (RVP 11)	2088.68	18.80	27.15	2.09	10.44	0.00	33.42	16.71	1.04	109.66
Dock Tank	Gasoline (RVP 11)	37.35	0.34	0.49	0.04	0.19	0.00	0.60	0.30	0.02	1.96
Skid Tank	Gasoline (RVP 11)	37.35	0.34	0.49	0.04	0.19	0.00	0.60	0.30	0.02	1.96
Tank 27	Gasoline (RVP 11)	2092.92	18.84	27.21	2.09	10.46	0.00	33.49	16.74	1.05	109.88
Tank 28	Gasoline (RVP 11)	2092.92	18.84	27.21	2.09	10.46	0.00	33.49	16.74	1.05	109.88
Tank 31	Gasoline (RVP 11)	2088.63	18.80	27.15	2.09	10.44	0.00	33.42	16.71	1.04	109.65
Tank 32	Gasoline (RVP 11)	2088.68	18.80	27.15	2.09	10.44	0.00	33.42	16.71	1.04	109.66
Stripping Tank	Gasoline (RVP 11)	33.62	0.30	0.44	0.03	0.17	0.00	0.54	0.27	0.02	1.77
Upstream Barge Containment	Gasoline (RVP 11)	179.50	1.62	2.33	0.18	0.90	0.00	2.87	1.44	0.09	9.42
Total		10919.17	98.27	141.95	10.92	54.60	0.00	174.71	87.35	5.46	573.26

	VOC Emissions Tons/yr	HAP Emissions (tons/yr)								Total
		Benzene	Toluene	Ethyl-Benzene	Xylenes	Cumene	Hexane	Isooctane	MTBE	
Working/ Withdrawl and Standing Total:	10,923.12	98.31	142.00	10.92	54.62	0.00	174.77	87.38	5.46	573.46

Note: All storage tank VOC emissions estimated using USEPA's Tanks 4.0 software program and are based on the estimated maximum annual throughput for each tank.